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ABSTRACT

This study seeks to identify those governmental and nongovernmental agencies that should ensure that all recipients of funds from the Corporation for Public Broadcasting comply with equal employment opportunity laws. A report of the study comprises the following sections: introductory comments and background material about the Corporation for Public Broadcasting; the role of Federal entities in ensuring that public broadcasters comply with equal employment and antidiscrimination laws; the history of public broadcasting at the Federal Communications Commission; a statistical review and analysis of public broadcasters' 1976 employment profiles; conclusion; and appendixes containing textual data. (RL)

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PUBLIC BROADCASTING AND EQUAL EMPLOYMENT OPPORTUNITY REGULATION -- WHERE DOES THE BUCK STOP?

a study by

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I. INTRODUCTION

A. Overview

This is a study by CITIZENS COMMUNICATIONS CENTER, a Washington, D.C., non-profit, public interest law firm and litigative resource center which specializes in issues involving the electronic media. CITIZENS, founded in 1969, has as its primary mission to try to insure that the Federal Communications Commission (FCC) and the electronic communications industry that it regulates are accountable to the public. CITIZENS' mandate is, in part, to assist members of the public to improve the services they receive from the commercial and non-commercial broadcasters, from cable system operaters, from governmental units regulating the broadcasting industry (primarily the FCC), and from non-government units effecting the broadcast industry. That mandate also includes providing the both the public and the affected regulatory agencies with access to information on issues related to local citizen participation in broadcast regulation. In recent years, CITIZENS has been especially involved in the representation of local citizens groups in matters relating to non-discrimination in the employment policies and practices of broadcast licensees. Recognizing the importance of equal employment opportunity and non-discrimination in the public broadcasting industry, CITIZENS has prepared this study with the aforementioned mandate in mind and for the purpose of furthering such citizen participation.

The object of this study is to examine 1) the EEO performances of noncommercial "public" radio and television stations which are partially funded by federal dollars; 2) the Corporation for Public Broadcasting (CPB), regarding its role in assuring that its grantees are operating in compliance with the various equal employment opportunity and nondiscrinimation laws and policies; and 3) the FCC and other federal entities having some responsibility to insure that public broadcsting licensees are complying with the EEO laws. These entities include the Department of Justice, Civil Rights Division; the Department of Health, Education, and Welfare (HEW); the Equal Employment Opportunity Commission (EEOC), and the House and Senate Subcommittees on Communications.

The major funding agency for public radio and television stations and networks is the Corporation for Public Broadcasting (CPB). Its major source of funding is Federal funding (some $80 million for FY 1976); thus, CPB grants to noncommercial broadcasters are, in part, Federal grants. Federal law does prohibit discrimination by recipients of grants of Federal assistance programs (Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. § 2000(d) et seq.). Public broadcasters receiving grants directly from the Federal government through the Department of Health, Education, and Welfare under the Educational Broadcasting Facilities Act of 1962 and the Public Broadcasting Act of 1967 are

subject to Title VI scrutiny of their employment practices. At this point in time -- August, 1976 -- neither CPB nor the Federal government have subjected recipients of CPB and other Federal grants to Title VI oversight. This report examines the employment performance of each grantee, regardless of the grant amount, in the area of minority employment.

The examination includes a statistical review and analysis of available 1976 employment data obtained from the individual station reporting forms on file with the Research Branch, Broadcast Bureau, Federal Communications Commission. Since this information is submitted by each station and/or licensee and is not subject to verification by the Commission, the authors cannot assure absolute accuracy. In addition, the authors apologize for lack of complete information on the part of each and every public broadcasting grantee. Many of the broadcasters are delinquent in filing this information which was due to the Commission by May 31, 1976. This is coupled with the problem of FCC administrative inefficiency in that some information has been logged as received by that agancy but somehow is lost in the maze of a Federal filing system. Also, even though not all noncommercial broadcasters are CPB grantees, the majority of them are; and we have taken the liberty of assuming that the major analysis and evaluation herein are applicable within a few percentage points to the whole public broadcasting system. CPB grant amounts and their

intended uses are also noted, while Appendix P lists public broadcasting recipients of grants from other Federal sources.

This study also presents an overview of the whole EEO oversight and enforcement issue in reviewing certain adjudicated and pending cases involving a public broadcaster's lack of adequate responsiveness to local minority communities, which in turn depict the laxity in the same area by agencies like CPB, the FCC, HEW (from whom some public broadcasters receive [additional] funding), the EEOC under whose jurisdiction some public broadcasters fall because of the size of their staffs or the nature of the discrimination charge; and the U.S. Dept. of Justice, the primary function of which is to protect the sanctity of the laws of this country by assuring their support by all the citizenry. Thus the factual and statistical research and evidence outlined here will point out the reasons for needed systemic changes in law enforcement regarding public broadcasting -- an entity supported by tax dollars and ideally belonging to and benefiting <u>all</u> the people and which presently does not partly because of the inexcusable lack of EEO oversight.

B. The Corporation for Public Broadcasting

The Corporation for Public Broadcasting (CPB) is a private nonprofit corporation authorized to be established to implement the objectives of the Public Broadcasting Act of 1967 (47 U.S.C. 396 et. seq.). With funds received from public and private sources, CPB renders financial assistance to noncommercial educational broadcast licensees as an aid in enhancing each licensee's ability to serve the local public interest with communications services and as a way of fostering the full development of noncommercial broadcasting. Included in the activities of CPB are: contracting with public broadcasting stations and other production entities for the production of programs for national, regional, or local use; providing financial support for national interconnection services for television and radio stations by contracting with the Public Broadcasting Service (PBS) for television and with National Public Radio (NPR) for radio distribution services over the interconnection; making basic operational grants to licensees of operating public television and public radio stations; and providing funds for research, development, and piloting of new programs. In addition, CPB provides system-wide support services which include such activities as minority training grants, audience and program research, development costs for a satellite interconnection project, and support for program direction and administration.

In order for a noncommercial television station

to be eligible for a CPB grant, six requirements [1/] must be met:

1) There must be a station manager who has programming and budgetary responsibility;

2) The grantee must have yearly income in excess of $150,000 (exclusive of the CPB grant;

3) Studio and production facilities must be availabel and programming must be produced regularly;

4) The grantee must broadcast 52 week a year for a total of not less than 3,000 hours;

5) A new grantee duplicating coverage, in whole or in part, of an existing grantee must show that its signal will be available to a substantial currently unreached population; and

6) The grantee must maintain certain records to be reviewed by CPB.

While almost all noncommercial television stations are CPB funded, only a minority of noncommercial radio stations are CPB funded -- less than 25%. The criteria a noncommercial radio station must meet to be CPB qualified have been upgraded often. These requirements are also more demanding than for a television community service grant. The criteria include requirements as to engineering standards, studio availability, minimum hours of operation, programming content and production, financing, and employment. The employment requirements, however, relate to number of employees and not to non-discriminatory employment

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1/ Criteria established November 8, 1972, and have continued unchanged until the time of this study.

practices, affirmative action, or the setting of goals and timetables.

The employment requirement for CPB qualified radio grantees, as it appears in a CPB release, follows:

> A minimum of five, full-time, professional radio station staff must be employed on an annual (12-month) basis. At least three full-time staff members should be employed in a managerial and/or programming position.
>
> "Full-time, professional, radio station staff" includes permanent personnel with demonstrated skill and expertise in the management, programming, production, promotion, development, or engineering area of radio station operation; paid no less than the minimum Federal hourly wage, whose terms of employment require the exercise of full-time duties in one or more of these areas. Clerical and custodial staff, and interns and trainees, do not meet the definition of this criterion.

Since this study is concerned with the employment practices within the public broadcasting industry and is seeking to identify those entities which have responsibilities to insure that public broadcast licensees are operating in compliance with the various EEO and non-discrimination laws and policies, it follows that an examination of CPB's role in this area is required.

Although CPB receives substantial appropriations from Congress, since it is a private, non-governmental entity, it is of the belief that it has no responsibility whatsoever to minitor, investigate. or to <u>enforce</u> compliance with any of the applicable federal or state laws and regulations which prohibit discrimination

against any person on the basis of race, color, religion, national origin, age, or sex. Rather, CPB is of the belief that it can, and should , look to federal and state agencies such as the FCC, the Justice Department, the Department of Health, Education, and Welfare; to the Equal Employment Opportunity Commission, and the courts to investigate, enforce, and make final determinations regarding licensee and station compliance. Upon such final determination, CPB then decides whether its financial assistance should continue.[1/]

1/ To the authors' knowledge, CPB has never revoked a grant to a public broadcast licensee -- even where the FCC has made a final determination that the licensee was engaged in discriminatory practices. In AETC, infra at 34, in which nine public television license renewals were denied upon the FCC's finding that AETC had followed a racially discriminatory policy in its overall programming practices and had neglected the needs of the Black population in Alabama.

But here, the petitioners who brought the successful license challenge had requested that CPB Finding not be terminated, arguing that "any cutback in the flow of CPB funds will diminish AETC's ability to make substantial good faith commitments as part of its new applications to serve the needs of Alabama's Black citizens," and, "it offends our sense of fairness, and serves no useful prupose, to deprive AETC of the means by which its threshold proposals for renewal operation of these channels can be made."

Petitioners also pleaded that "CPB should expeditiously act to continue its funding to AETC...and to give AETC a fair chance to show that it can provide adequate service to all Alabamians, both as an interim operator and potential future licensee." (See letter dated March 3, 1975, from Steve Suitts to Henry Loomis; Appendix W.)

The authors believe that CPB's decision to continue funding AETC, after the FCC's final determination denying AETC's licenses, was influenced by counsel for AETC, whose interpretation of certain portions of CPB's funding policy would allow an offending grant applicant to remain eligible "where it is shown that the violation has been corrected, or that there is compliance with any remedial provisions of the agency's final decision... It means that ineligibility for CPB funding exists only where the violation found by the court or agency still exists at the time of a funding application is before CPB. (See letter dated February 27, 1975, from Marvin J. Diamond to Thomas G. Gherardi; Appendix V.)

On March 1, 1974, CPB adopted a policy requiring that each recipient of CPB assistance fully comply with all laws and regulations prohibiting discrimination against any person on the basis of race, color, religion, national origin, age, or sex. This policy is embodied in a document entitled "Equal Opportunity and CPB Assistance," (Appendix U.) It reiterates CPB's position that it does not have the legal authority to investigate and adjudicate complaints based upon allegedly discriminatory practices by recipients of its assistance. The policy statement offers, however, that CPB will promptly refer all such complaints received by it to a government agency with jurisdiction for any proceedings that may be appropriate.

All CPB grants and contracts include a provision requiring nondiscrimination and affirmative action, incorporated in the CPB Policy.[1/] In exchange for CPB support, the recipient is supposed to also accept the policy and its implementation. Moreover, each CPB grantee or contractor is required to include these provisions in all cub-contracts entered into in carrying out the project.

CPB's responsibilities and activities in pursuit of EEO is by no means limited by the language of its announced Policy. As an employer of 15 or more employees, CPB itself is subject to

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1/ To the authors' knowledge, as of the publishing of this study, no applicant for CPB assistance has refused to accept this policy. In light of the rather poor EEO performances of too many public broadcasters, infra, coupled with CPB's policy of not enforcing EEO compliance, it is not surprising that no applicant for CPB grant would not accept.

Title VII of the Civil Rights Acts of 1964. As an employer engaged in an industry affecting commerce and employing 20 or more employees, CPB is subject to the Age Discrimination in Employment Act of 1967, as amended. Through contracts with the Department of Health, Education, and Welfare, CPB is subject to provisions of Title VI of the Civil Rights Act, prohibiting discrimination in the granting of benefits under federally-assisted activities, and to the extent that CPB carries on educational activities within the meanding of Title IX of the Educational Amendment of 1972, CPB is subject to Title IX.

In May, 1975, some seven years after the creation of the Corporation for Public Broadcasting, the CPB Board of Directors committed itself to EEO principles and practices by adopting an Affirmative Action Plan for CPB. Thus, with the adoption and implementation of this Plan containing an nondiscrimination clause, CPB was in compliance with the requirements of Title VII of the Civil Rights Act of 1964, the Age Discrimination and Employment Act of 1967, The Equal Pay Act, and Executive Order Number 11246 and Revised Order Number 4.

In November of 1974, the CPB Board of Directors endorsed the establishment of a "Task Force on Women in Public Broadcasting." In line with its concern about the status of women in public broadcasting, it encouraged the Task Force to determine public broadcasting's representation of women in programming, to investigate its employment practices, and to make recommendations

based upon its programming and employment findings. In October of 1975, the Task Force published its Report[1/] which was approved by CPB. The Report disclosed that pervasive under-representation of women exists throughout the public broadcasting industry, both in employment and in programming content.

The Task Force survey found that women were frequently hired at lower levels and often at lower salaries than men of the same age and educational level. For example, 42 percent of the women surveyed entered into the profession at the level of secretary, librarian, production assistant, or at best, production manager, while 42 percent of the men with the same education entered at an executive level. In addition, the Task Force disclosed that in public broadcasting nationwide, women outnumber men by more than 3:1 in non-professional positions. Moreover, the Report showed that women hold only 9% of the seven executive-level positions in public broadcasting, one-third of the full-time jobs in programming, and virtually no jobs in engineering.[2/]

In October of 1975, CPB also submitted comments to the FCC in regards to the Commission's Notice of Inquiry and Notice of Proposed Rulemaking in Docket 20550, concerning nondiscrimination in the employment policies and practices of broadcast licensees.[3/] CPB's comments, while endorsing the general principles of the FCC's proposed rulemaking, urged the FCC to revise its

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1/ Caroline Isber and Muriel Cantor, Co-Authors.

2/ See: remarks of Congresswoman Bella Abzug, House Appropriations Subcommittee hearings. Congressional Record, House, H6652, June 24, 1976.

3/ FCC-75-849, 54 FCC 2d 354 (1975).

annual employment report forms to reflect actual positions and job titles at broadcast stations and to require each broadcast licensee to adopt and implement affirmative action plans with elements similar to those requirements embodied in the Office of Federal Contract Compliance's Revised Order Number 4, which would include a utilization analysis, identification of the cause of under-utilization, and goals and timetables. CPB submitted that these requirements are "widely accepted as being the best means available for achieving the full integration of minorities and women into the national workforce."

The FCC's Notice of Rulemaking in Docket 20550 proposed to exempt broadcasters with less than ten (or perhaps fifteen) full-time employees from submitting any written affirmative action plan, and broadcasters with fewer an 50 (or perhaps 25) full-time employees would be exempted from developing workforce analyses. CPB's comments strongly opposed any exemption, and recommended that each broadcaster be subject to these regulations. CPB's enlightened approach for not allowing exemptions was based on the following rationale contained in its comments:

> The Commission's assumptions concerning large station job opportunities may be true. Nevertheless, the Commission has apparently overlooked the fact that these exemptions exclude significant percentages of the noncommercial broadcast industry. For example, CPB has found, based on FY 1974 data submitted to CPB, that if broadcasters will less than ten employees were exempted from filing a written plan, approximately 93% of noncommercial radio would be excluded, and approximately 36% of noncommercial tele-

vision would be excluded. Moreover, an exemption from developing workforce analyses for broadcasters with less than fifty employees would exclude 88% of noncommercial television and 100% of noncommercial radio. Thus, the Commission's exemptions appear somewhat arbitrary, in light of these figures showing that large numbers of the noncommercial broadcast stations would have no obligation to file an affirmative action plan, wither as the Commission proposed or to adopt a plan complete with a utilization analysis and goals and timetables.

CPB believes the exemptions to be unwise when it is considered that small stations, like their larger counterparts, have obligations to program to suit the diverse needs of their communities. One of the essential methods a station can employ to assure such programming diversity is to have a fully integrated workforce, comprised of persons who reflect the cultural and ethnic diversity of the broadcast service area.

Furthermore, such exemptions significantly decrease, if not abolish, the availability to the public of important discovery tools for determining the reasons for disparate employment of minorities and women in the stations' workforce.

Finally, the exemptions ignore the crucial fact that smaller stations are perhaps the most important training ground for employees, and are therefore essential for upward mobility. Equal employment opportunity must , therefore, begin at the entry level of the industry.

On June 23, 1976, the FCC adopted its new broadcast equal employment opportunity guidelines.[1/] The Commission's new EEO guidelines did not, as CPB had recommended, either revise its annual employment report forms (FCC Form 395) or eliminate the

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1/ Docket 20550, FCC 76-426, ___ FCC 2d ___ (1976).

proposed exemption by certain licensees to file written EEO plans or workforce analyses. Commissioner Benjamin L. Hooks simultaneously released a statement in re Docket 20550, concurring in part and dissenting in part, in which he criticized the Commission's new EEO rules on many of the same grounds which CPB had identified in its comments. (See Commissioner Hooks' statement, Appendix X.)

In light of the foregoing, it seems that CPB is committed to foster the goals of equal opportunity in employment at noncommercial public stations, that is, so long as CPB itself does not have to enforce compliance with the various EEO laws and policies. If CPB does not have any EEO enforcement responsibilities to insure that CPB grantee-public broadcasting stations comply with the law, then, where does the buck stop?

As pointed out earlier, CPB is a private entity, and, with this status, CPB believes that it lacks any enforcement authority. Moreover, CPB also believes that it lacks the power to delegate such enforcement duties to HEW or some other federal agencies, since "an entity cannot delegate authority it does not possess." Although CPB collects employment profile data from CPB-qualified public radio and television stations <u>for its own informational purposes</u>, CPB is of the belief that it cannot and thus does not involve itself in the labor management relations of independent public broadcasting stations. This, according to CPB, "is in keeping with the basic philosophy of public broadcasting,

which has traditionally afforded the individual public radio and television station a maximum of independence and freedom from external influences and control." CPB adds that "the mechanisms for review and enforcement of nondiscrimination statutes have been appropriately confined to the jurisdiction of the federal government where regulatory procedures and adjudicatory functions are properly exercised."

The Corporation for Public Broadcasting has an affirmative duty and responsibility to make certain that its own operations are in compliance with Titles VI and VII of the Civil Rights Act of 1964 (Public Law 88-352) and Title IX of the Education Amendments of 1972 (Public Law 92-318). In addition, the Corporation is expected to take a leadership role within the public broadcasting community to ensure that all recipients of Corporation funds are in compliance with Titles VI and VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972.

The Committee strongly suggests that the Corporation consider ways to improve the enforcement of compliance with the aforementioned civil rights statutes by the recipients of Corporation funds. In this regard, the Corporation should consider the delegation or referral of enforcement of these laws and regulations to the appropriate government agency, or agencies. The Corporation should begin immediately to improve its own internal monitoring procedures and consider the development of a precertification process for public broadcasting entities to assure that recipients of Corporation funds are in compliance. However, none of these suggested approaches is to be considered mutually exclusive.

Senator Edward W. Brooke 1/

1/ Report No. 94-997 [To accompany H.R. 14232] from the Committee on Approriations, Departments of Labor and Health, Education and Welfare and Related Agencies Appropriation Bill, 1977, legislative day, June 18, 1976.

II. THE ROLE OF FEDERAL ENTITIES TO INSURE THAT EQUAL EMPLOYMENT AND ANTI-DISCRIMINATION LAWS ARE BEING ADEQUATELY ENFORCED WITH REGARD TO PUBLIC BROADCASTING.

A. Justice Department, Civil Rights Division

The ultimate problem is that of establishing where enforcement responsibility lies to insure that there will be compliance with the mandates of Title VI, Title IX, and Executive Order Number 11246 on the part of the Corporation for Public Broadcasting and CPB grantees, that there may be fulfillment of the national policy against discrimination on the grounds of race, color, national origin, religion or sex.

In a letter dated March 26, 1975 from Assistant Attorney General Stanley Pottinger, Office of Civil Rights, U.S. Deptment of Justice, to Thomas G. Gherardi, General Counsel for the Corporation for Public Broadcasting the Assistant Attroney General stated as his opinion that TItle VI coverage extended to the programs and activities of the Corporation, and that accordingly, the Corporation is obligated to ensure that the provisions of Title VI (42 U.S.C. 2000(d)) are carried out. He thereby recommended that the Corporation require that each recipient of CPB financial assistance sign a contractual commitment to comply with Title VI.

The second position stated by Pottinger was that the Corporation is required to ascertain whether the recipients of CPB assistance are in fact complying with Title VI. He suggested that such determinations could be made wither by the Corporation itself, conducting compliance reviews or, alternatively, by the delegation of that authority to the Department of Health, Education,

and Welfare. It was the view of the assistant attorney general that, since the Department of Health, Education, and Welfare conducts compliance reviews of public broadcasting licensees receiving federal assistance from their agency, a delegation by CPB to HEW of its authority would be a more efficient and appropriate solution to ensure that recipients of CPB assistance are in line with Title VI non-discrimination requirements.

The Assistant Attorney General also expressed assurances that the Civil Rights Division of Justice Personnel was available and prepared to assist the Corporation in developing an effective Title VI enforcement program, and requested that the CPB general counsel forward his views on the matter to the Justice Department. (See Appendix Y).

With specific reference to the above-mentioned letter, Citizens Communications Center contacted by phone and by letter the Department of Justice, Civil Rights Division, to inquire as to 1) the weight and authority of its opinion letter to the Corporation's general counsel, and 2) whether there had been any response from CPB indicating its agreement with the positions and recommendations of Justice as expressed by Mr. Pottinger and/or its willingness to abide by those recommendations.

At the time of this study draft, CITIZENS had not yet received a written response to these inquiries from the Justice Department. However, CITIZENS was informed, during a recent telephone conversation that the Civil Rights Division is of the position that HEW holds the authority for compliance review,

moreover, that there is no current program within the Civil Rights Division of the Department of Justice for the enforcement of Title VI with regard to public broadcasting licensees.

It was the position of the spokesmen at Justice that the Civil Rights Division is responsible only for coordinating the enforcement activities of federal regulatory agencies. He stated as well that he was unaware of any assistance given by the Civil Rights Division at Justice to CPB in developing a Title VI enforcement program.

The inquiries to the Justice Department (by letter dated July 28, 1976, See Appendix Z) are pertinent in attempting to establish where such enforcement responsibility lies. Still remaining to be answered is 1) whether any steps have or will be taken by Justice to insure compliance with Title VI requirements by recipients of CPB assistance, and 2) how the Civil Rights Division will assist and coordinate the enforcement activities of other regulatory agencies.

More specifically, inquiries were made to Justice as to 3) whether the Department of Justice has actually initiated or prosecuted any public broadcasting licensees for violations of Title VI or Title VII of the Civil Rights Act of 1964; 4) whether there were any such pending or ongoing investigations, and 5) as to the status or final determinations of any investigations or prosecutions, if any, which have been made by that office.

Assuming that the Department of Justice, Civil Rights Division, has a role of oversight of concommercial licensees in insuring compliance with Title VI requirements CITIZENS inquired as to whether there are any published regulations or established procedures regarding that role. And it asked whether any single official in the Civil Rights Division is specifically responsible for insuring that that role is carried out. At the time of this study's publication, no written response to these inquiries had been received from the Civil Rights Division by CITIZENS.

It is the position of the authors of this study that public broadcast recipients of CPB financial assistance, and the assistance of other federal programs, have an obligation to comply with the non-discrimination policy and requirements of Title VI, whether or not funds received are for the objective of providing employment.

Precedent for this position can be found in the language of NAACP et al v. The Federal Power Commission[1/] whereby the court confirms the authority of the FCC to regulate the employment practices of its regulatees as justified by the necessity for the Commission "to satisfy its obligation under the Communications Act of 1934, 47 U.S.C §151 et seg., to ensure that its licensees' programming fairly reflects the tastes and viewpoints of minority groups." Thus, it is necessary for some entity to insure thrcugh

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1/ 44 U.S.L.W. 4659 (May 19, 1976).

enforcement of various EEO laws that there will not be discrimination by noncommercial licensees in order that they may satisfy their obligation to serve their entire public, including the minority elements of that public.

Given that employment practices may have a direct impact on programming practices of the licensee, no other reasonable conclusion can be reached.

As we have received no written response from the Civil Rights Division of the Justice as of the date of publication of this study, we are uninformed as to whether that office is in accordance with this conclusion.

B. Department of Health, Education, and Welfare -- Office of Civil Rights.

In this section we speak to the problem of oversight and enforcement of EEO policy under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, and Executive Order Number 11246.

Title VI bars discrimination on the basis of race, color, religion, or national origin by recipients of federal grants. Title IX bars sex discrimination on the part of educational institutions which receive federal assistance, the equal pay provisions of that Act applying to colleges and universities whether or not they are the recipients of federal assistance. There are no requirements under Title VI or Title IX that the applicant submit a proposal for affirmative action in order to receive a grant.

Executive Order Number 11246, however, prohibiting discrimination on grounds of race, color, religion, sex, or national origin requires that all federal contracts in excess of $10,000 include an EEO clause whereby the contracting organization promises to take affirmative action to insure that applicants will be employed.

If the contracting organization has 50 or more employees and a contract for $50,000 or more, Revised Order Number 4 of the Office of Federal Contract Compliance[1/] calls for a more exacting program of affirmative action requiring that the employer submit a written EEO policy, minority and female "utilization analysis" and "goals and timetables."

The Office of Civil Rights, Department of Health, Education, and Welfare is ultimately responsible for the enforcement of these acts with regard to public broadcasters. Licensees are covered by Title VI through receipt, for example, of an educational television facilities grant from the Office of Education, HEW. The Office of Education must make the determination as to whether discrimination per se will occur, but rather upon its assessment as to whether the grant will result in service to the community as a whole. Given the amount of funds available for such grants vis a vis the competition for such grants, the Office of Education can deny an application for a grant if there

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1/ This is the enforcement agency for the federal contractor's EEO program. However, that office has delegated enforcement responsibility to the Office of Civil Rights, HEW.

Office of Education can deny an application for a grant if there is a question as to whether the grant will in fact serve the community. The Office of Education basically relies upon assurances from the applicant that there will be compliance with Title VI; there is no regular procedure for investigation of an application, insofar as we know, to insure that compliance will in fact result.

Under Title IX, licensees which are educational institutions and the recipients of federal funds are barred from sex discrimination. If the licensee is a college or university, the equal pay provisions of the amendment apply whether or not the institution receives federal assistance.

The penalties for lack of compliance, under these three acts are termination of a contract and ineligibility for future contracts or grants after 30 days notice to comply and opportunity for a hearing.

Prior to the publication of this study, an attempt was made to obtain from OCR/HEW responses to a number of inquiries regarding its role in oversight of licenseees who are recipients of federal funds and enforcement of Title VI and Title IX. An interview was held with staff members of OCR/HEW during which responses to certain inquiries were obtained. By the time of publication, however, we had not yet received a written response to all of the questions posed during the interview and by a follow-up memorandum.

We learned through this interview that there are no published regulations for EEO oversight of public broadcast recipients of federal funds--i.e., no published regulations on how such a complaint is filed, processed by OCR/HEW, or how a response is given to a complainant.

The general rule is, however, that OCR/HEW is primarily complaint-oriented; that is, usually the office will only conduct a compliance review in response to complaints from the public of discriminatory practices on the part of public broadcasters, as opposed to conducting compliance reviews on its own initiative.

We were informed that occasionally OCR/HEW will conduct compliance reviews on its own initiative and that such review is based upon wither the statistical record of EEO performance of the licensee recipient or upon a particular issue involved in such performance or upon a particular type of recipient. There is no information, however, as to the type of statistical record or issue in the performance of a recipient or as to the type of recipient that triggers such review by OCR/HEW.

Although we were informed that on-site investigations are conducted by OCR/HEW, there is no description as to the type of procedures involved in such an investigation.

The Emergency School Aid Act, the purpose of which is to promote desegregation and which prohibits discrimination on the basis of race or national origin, includes a requirement for affirmative action on the part of the recipient institution. We

have learned since the time of the interview that OCR/HEW will conduct post-grant reviews of a recipient at last on the elementary and secondary school levels. There are apparently no plans at present for conducting such reviews of higher level educational institutions.

Specific inquiries were also made during the interview at OCR/HEW and in the follow-up memorandum as to the status of complaints filed against four public broadcasters and the procedures for following up those complaints. (See Appendix AA.) The OCR/HEW staff were cognizant of the status of only one of those complaints (filed against the Mississippi Authority for Educational Television); regarding the three remaining cases, we were asked and have agreed to forward copies of the complaints and copies of the related correspondence to that office.

Finally, we inquired about the designation of one specific person to be in charge of EEO oversight of public broadcast licensees. To our knowledge, complaints are now being handled by one OCR/HEW staff member who also has other (higher priority) duties. At the time of the study's publication, we are not aware that a specific appointment has been made for staff EEO oversight.

C. U.S. Equal Employment Opportunity Commission

The Equal Employment Opportunity Commission (EEOC), which administers Title VII,[1/] is principally an investigative

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1/ 42 U.S.C. § 2000(e) et. seq.

body, ruling on individuals' complaints of discrimination on the basis of race, color, religion, sex or national origin in any term, condition or privilege of employment. An employee of or job applicant for a position at a public broadcasting facility can always file a complaint with the EEOC; and that agency must conduct a detailed investigation and attempt to conciliate before taking an employer to court. If the employment action that led to the complaint was in fact discriminatory, the EEOC may require back pay, elimination of the discriminatory practices, reinstatement, or some other appropriate remedy. Since March, 1974, the EEOC can itself commence a lawsuit where its investigation of a complaint result in a finding of reasonable cause to believe that discrimination has occurred, and informal efforts at conciliation have failed. This power includes the ability to being a "class action" lawsuit on behalf of a group of employees when the investigation shows a "pattern or practice" of discrimination. In the case of public broadcasting licensees which are agencies of a state or local government, the EEOC may not itself sue but must refer the matter to the Department of Justice.

All public broadcasting licensees having 15 or more employees (full- or part-time) are subject to Title VII and EEOC administration. Employers of 100 or more individuals must file annual employment reprots (Form EEO-1) with the EEOC, showing their minority and female employment profiles and the levels at which all of its employees are employed. The EEOC also

requires that all employers having 15 or more persons must conspicuously post notices of non-discrimination in employment, which are supplied by EEOC; that all employers must retain copies of EEO-1 forms permanently, and that personnel records must be maintained for at least six months.

Since only those public broadcasting licensees with 15 or more employees are effected by Title VII, many -- too many -- public broadcasting stations are exempted from its provisions because they are too small. (See CPB comments in Docket 20550, supra, at 12, and Commissioner Hooks Statement, Appendix X.) However, it should be noted that the size of a broadcast station does not lessen that station's impact or importance. What is true for the broadcast industry is just as true of an individual public broadcasting station, regardless of size:

> Because of the enormous impact which television and radio have upon American life, the employment practices of the broadcasting industry have an importance greater than that suggested by the number of its employees. 1/

Nonetheless, EEOC has played a positive, although limited, role in insuring that public broadcast licensees are complying with the law. (e.g., KQED-TV and WETA-TV., infra.)

1/ Statement of Frmer Assistant U.S. Attorney General, Civil Rights Division, Stephen J. Pollack, Nondiscrimination Employment Practices of Broadcast Licensees, 18 FCC 2d 240, at 241 (1969).

D. Congressional Oversight of EEO Enforcement in Public Broadcasting.

In July of 1976, both houses of Congress approved three-year funding for CPB. The only differences between the final Senate bill and the final House bill (H.R. 14232) are over dollar amounts. The Senate bill would provide up to $103 million for CPB in fiscal year 1977, $121 million in fiscal year 1978, and $140 million in fiscal year 1979. The House bill would provide $96.75 million in fiscal year 1977, $107.15 million in fiscal year 1978, and $120.2 million for fiscal year 1979.

During the debate on the House bill, Representative Louis Stokes (D-Ohio), offered an amendment ot the CPB appropriations bill, which was subsequently adopted by both the House and the Senate. The amendment introduced by Congressman Stokes states that no funds appropriated under this legislation may be used "to aid or support any program or activity excluding from participation in, denying benefits of, or discriminating against any person in the United States on the basis of race, color, national origin, religion or sex."

The underlying rationale which motivated Congressman Stokes to introduce the amendment was to establish the fact that no institution, whether it be a private institution or not, can receive Federal funds and then permit discrimination to occur whith reference to those funds under the theory that they come under the First Amendment, and that they are to be excluded from the provisions of Title VII of the Civil Rights Act of 1964.

The amendment utilizes language that will make Section 601 of Title VI applicable. It was not intended for the purpose of making Section 602 (the enforcement provisions of Title VI) applicable, but rather to make both CPB and its grantees by the availability and utilization of federal funds subject to Section 601 of the Act.

During earlier House hearings regarding CPB appropriations Congressman Stokes engaged in a conversation with Henry Loomis, President of the Corporation for Public Broadcasting, during which Mr. Loomis attempted to explain the purpose of CPB, its status, and the status of the federally-appropriated funds once they are acquired by and re-distributed by CPB:

> Mr. Stokes: But are they (CPB grantees) acquiring Federal funds through you (CPB)?
>
> Mr. Loomis: No, Sir. The purpose of the Corporation being established was that it could receive appropriated funds. The funds that we distribute legally are considered non-Federal funds. That is in part, the essential part of the insulation of programming from the Federal Government. And as we have stated previously, first the Carnegie Commission and then the Public Broadcasting Act said there were two necessary things for insulation. One was the establishment of a non-profit private corporation.
>
> The second was the insulated funding. The law only did the first, hence the Corporation is in existence and that is the reason the law specifically states that we are not an agency or establishment of the Government.
>
> Mr. Stokes: But in that same vein, if I understand you correctly, as the recipient of Federal funds, once the funds are

> actually acquired by you, for the purposes thereafter, they are no longer considered to be Federal funds?
>
> Mr. Loomis: That is correct. 1/

Prior to the adoption of the Senate bill, the Appropriations Committee issued a report with strong language, proposed by Senator Edward Brooke (R-Mass.), on CPB and its role in public broadcasting. Senator Brooke's proposal, states, in part:

> The Corporation for Public Broadcasting has an affirmative duty and responsibility to make certain that is own operations are in compliance with Titles VI and VII of the Civil Rights Act of 1964 (Public Law 88-352) and Title IX of the Education Amendments of 1972 (Public Law 92-318). In addition, the Corporation is expected to take a leadership role within the public broadcasting community to insure that all recipients of Corporation funds are in compliance with Titles VI and VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972.
>
> The Committee strongly suggestes that the Corporation consider ways to improve the enforcement of compliance with the aforementioned civil rights statutes by the recipients of Corporation funds. In this regard, the Corporation should consider the delegation or referral of enforcement of these laws and regulations to the appropriate governmental agency or agencies. The Corporation should begin immediately to improve its own internal monitoring procedures and consider the development of a precertification process for public

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1/ Congressional Record - House, H 10881, November 10, 1975.

> broadcasting entities to assure that recipients of Corporation funds are in compliance. However, none of these suggested approaches is to be considered mutually exclusive.
>
> The Committee will expect a quarterly report on the Corporation's efforts and accomplishments in this area to commence 30 days. The first report will be due 90 days after the enactment of this bill.

The question which the authors pose throughout this study -- where does the buck stop? -- has yet to be answered. On June 16, 1976, the House Subcommittee on Communications announced that it will hold hearing on August 9 and 10 to determine whether waual employment and anti-discrimination laws are being adequately enforced with regard to public broadcasting. These hearings are the result of a commitment made to the Congressional Black Caucus last year by House and Senate conferees on the public broadcasting authorization bill.

In making the announcement, Subcommittee Chairman Van Deerlin said that "the Corporation for Public Broadcasting was not established to be an enforcement agency." Van Deerlin inidcated he intends to call witnesses from the Federal Communications Commission, the Justice Department, the Department of Health, Education, and Welfare; and the Equal Employment Opportunity Commission to determine where the responsibility lies for enforcing EEO laws affecting public broadcasting.

"If the departments and agencies charged with and staffed for enforcing these laws have dropped the ball, Congress should

find out why and put a stop to it. We should not look around for scapegoats like CPB which was never intended to police the public broadcasting industry," Van Deerlin said.

The authors of this sutdy submit, however, that the issue is not who are the scapegoats, but where does the buck stop...

III. THE HISTORY OF PUBLIC BROADCASTING AT THE FCC

A. The Dubious Double Standard

The FCC suffers a schizophrenic reaction to public broadcasting. On the one hand, it has historically allowed public stations looser compliance, or rather non-compliance, with most of its public trustee mandates applied to commercial licensees. It apparently does so on the theory that since these are "noncommercial," "educational" and "public," they must inherently be doing the right thing for the public.

On this theory, for example, the Commission has failed, until this year, to require public licensees to even formally ascertain the needs of their communities and propose programming to meet those needs as part of their license renewal. These obligations have been formally imposed on commercial broadcasters for five years, since the FCC's 1971 Ascertainment Primer, and generally for years before that.[1/]

Similarly the public broadcasting renewal form had until this year remained virtually unchanged since the era when public broadcasting was primarily a daytime instructional vehicle. The fact that the Public Broadcasting Act of 1967 gave legislative mandate to its altered focus to a wider schedule of evening prime time programming, designed to meet needs not met by commercial broadcasting, and had escaped the FCC's notice for about

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1/ And the Commission still did not even act on public broadcasting ascertainment until a petition for rulemaking was filed by Black students and educators as an outgrowth of the AETC case, discussed infra.

a decade. This form still elicits little significant information on the actual programming practices of many public licensees. Just last year, the Commission admitted that, "Traditionally...we have evaluated an educational broadcaster's performance more broadly than the performance of a commercial broadcasters."[1/]

B. Case Histories

1. Alabama Educational Television Commission (AETC)

On the other hand, however, the Commission has only once in its history itself failed to renew a broadcast license for failure to serve the needs of significant racial minorities in its service area. And that was a public broadcaster -- Alabama Educational Television Commission (AETC). The Commission found in 1975 that the stations had failed to adequately serve the 30% Black population of that state during its 1967-70 license term.

Even more paradoxically, in doing so the Commission posited grounds for a higher duty to serve the public interest to be imposed upon public licensees:

> Indeed an argument can be made that the educational broadcaster has a very special obligation to serve the needs over and above what is expected of commercial stations inasmuch as the educational broadcaster not only receives the benefits of the public spectrum but also is supported by general public funds, the rationale for which is providing special services to the community. We do not put this forward as a special ground for decision here but only as a point that corroborates our finding that the licensee has not lived up to even minimal licensee standards.[1/]

1/ AETC, 50 FCC 2d 461 at 472, n. 17 (emphasis added).

If the Commission recognized this higher duty as to programming to meet minority needs,[1] why has it not recognized a concomitant duty to affirmatively seek out for employment and train members of those same minority groups and women who would perform the ascertainment and programming functions of public stations to serve such needs. For the Commission itself has based, since 1969, the broadcaster's duty to practice EEO and affirmative action upon its basic statutory duty to meet the needs of all citizens of its service area, including those of women and minorities. See 1968 EEO rulemaking. And the Supreme Court has recently upheld this position.[2]

Yet the Commission has not officially recognized this linkage as to public broadcasting: in fact its application of its EEO rules to PTV has been the opposite. AETC had the dubious honor of being among the first licensees designated for an evidentiary hearing on its employment practices. As of the end of its 1970 renewal period, this eight station "public" network had only one part time Black employee -- a janitor. Incredibly, the FCC in its 1975 AETC decision whitewashed the employment

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1/ Which, under normal Commission standards, includes those of women.

2/ NAACP v. Federal Power Commission, 44 U.S.L.W. 4659 (May 19, 1976) at n. 7:

> The Federal Communications Commission has adopted regulations dealing with the employment practices of its regulatees. See 47 CFR §§21.307, 76.311. These regulations can be justified as necessary to enable the FCC to satisfy its obligation under the Communications Act of 1934, 47 U.S.C. §151 et seq., to ensure that its licensee's programming fairly reflects the tastes and viewpoints of minority groups . . .

issue. It looked to AETC's obviously upgraded record after having been put in a licensing hearing. But any licensee put in such a situation would try to save its license. This is not a true test of its concern for minority inclusion in station operations.

The other ground upon which AETC excused is surely no longer viable -- that the EEO rules of the FCC were not adopted until 1969, a few months before the expiration of the license term in question. But this holds little weight since the Commission had stated its policy that licensees were subject to nondiscrimination standards in 1968, and surely AETC could not be a responsible licensee and not realize that to have no blacks on staff was disserving a very large portion of its audience.

AETC is indicative of the public broadcasting situation in many ways. It was one of the very first public television station licenses granted by the FCC, in 1953. It was the model for all subsequent state public networks. If this pioneer licensee had such a poor record, what could the record of the entire industry be?

The FCC had other petitions against public licensees who had a far longer experience under the FCC's specific EEO rules. Not one has since AETC has been set for hearing on an employment issue.

2. WHYY-TV (Wilmington, Delaware)

In 1972, the Philadelphia Communications Coalition brought a market wide petition to deny against 28 Philadelphia licensees. But it, joined by the Wilmington Coalition, and other largely Black groups, singled out public television station WHYY, licensed to Wilmington but with studios in Philadelphia, for special challenge. The major complaint was lack of program service to its original city of license (Philadelphia) where the station's signals could also be received or the programming needs of Blacks in either community. But the Coalition also raised the station's failure to have an effective affirmative action program. The Commission dealt with the employment charges in the market-wide petition only, and found after determining that the equal employment performance of WHYY should be measured against the Wilmington SMSA percentages (12.6% minority) rather than the Philadelphia SMSA percentages (20% minority), that the station exhibited "positive EEO results" in the context of the Wilmington SMSA. These "positive EEO results", however, were based on upgraded employment statistics occuring some two years after the expiration of the license term under challenge. The Commission's 1975 Opinion and Order determined that WHYY-TV's 1972 employment proportion of 8.3% minority increased to 9.7% in 1974 and that although minority persons occupied 5.1% of the station's work force in the top four job categories in 1972,

this figure had increased to 6% in 1974. Here, as in so many FCC decisions regarding alleged practices of employment discrimination by broadcasters, the licensee was not required to run on its record.

3. KETC-TV (St. Louis, Missouri)

In 1974, three challenges were brought against public licensees. The St. Louis Broadcast Coalition filed against the application by KETC for a second (UHF) St. Louis channel, Channel 40, in addition to its existing Channel 9. KETC's EEO profile was not specifically challenged, but no Black staff input was reflected in programming or programming commitments designed to meet local community needs. This petition is still pending at the FCC, and is currently most interesting for the HEW implications, discussed below.

4. KQED-TV (San Francisco, California)

The record of KQED, San Francisco, was far worse than WETC, the petition filed by the Community Coalition for Media Change pointed out that KQED had the statistically worst EEO record of all Bay Area VHF licensees, yet claimed to be a "public" licensee. CCMC attached to its petition a massive probable cause finding of discrimination by the EEOC, detailing discrimination in virtually every facet of the station's operations.

Before the FCC could act, the licensee moved to conciliate the EEOC complaint, agreeing to future goals and timetables to upgrade its employment record. The Commission, in renewing this license in December, 1975, ignored totally the presence of another, equally damning set of allegations still pending before the EEOC, brought to the FCC's attention by CCMC. It also ignored the comparative license term performance of KQED vis-a-vis its Bay Area commercial counterparts.

The Commission specifically rejected CCMC's claim that public broadcasters bear a higher burden to demonstrate affirmative action in equal employment opportunity compliance, stating that while public and commercial broadcasters were treated differently in some respects by the Commission, the EEO rules apply with precisely the same force to both.[1/]

The KQED case is a case study of the buck passing syndrome endemic to public broadcasting EEO. The FCC deferred to the EEOC, which to our knowledge has yet to resolve the second complaint. The FCC filings were also filed with the Office of Civil Rights of HEW. Jeanna Tully, then active as the head of OCR's Public Broadcasting Branch, did make an on-site visit to

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1/ This case is currently still pending as to KQED's sister station, KQEC, which had been off the air since 1972 after having been committed by the licensee to be a proposed open access and minority training facility. The Commission initially ordered it back on the air in 3 months, in response to the CCMC petition, then extended that period until January 1977. CCMC and Bay Area video groups are now seeking input into activation of the second station.

attempt to get the parties to the negotiating table. But HEW, too, ultimately failed to take any official action looking toward a hearing or other determination of fitness for further funding. Similarly, the St. Louis Broadcast Coalition filed its 1974 complaint with HEW/OCR as well as the FCC, and has heard nothing since. As discussed, infra, that agency apparently now currently has no one monitoring or mediating these charges. (See Appendix AA.)

5. WNET-TV (New York, New York)

Perhaps the most famous FCC complaint involving public broadcasting, next to AETC, was the petition to revoke the license of WNET-TV, licensed to Newark, New Jersey, but with studios in New York City. (WNET is the most affluent, largest audience, flagship television station of public broadcasting.) The petition was filed in 1974 by the Puerto Rican Media Action Educational Council (PRMAEC). PREMAEC charged that WNET had substantially excluded the one million Hispanic residents of its service area from its programming and employment. WNET's annual employment report for 1974 reflected that this station employed 417 persons in a full time capacity. But only 18 Hispanics were included among WNET's full time employees. According to the 1970 Census Report, the percentage of persons of Spanish origin or decent residing within the New York-Northeastern New Jersey Standard Consolidated Area is 5.9%. The Commission gave its usual short shrift to PRMAEC's charges, applying a more stringent standard to a revocation request than to denial of a renewal

petition. The Commission found that WNET's percentage of Spanish-surnamed American (4.3) among the stations total employees (full and part time) in 1974 was within the "zone of reasonableness" which it expects of its licensees. Moreover, the Commission said that it has never required mathematical precision in minority employment.

As to PRMAEC's charge that WNET has provided insufficient programming in response to the needs and interests of the Hispanic community, the Commission held that no action was warranted since it is not necessary to determine what percentage of a licensee's programming is responsive to the needs of the Hispanic community or any other individual group. The Commission noted that programming which is responsive to the needs of the licensee's community need to be especially responsive to the particular needs of each ethnic group within that community and that it has never required nor encouraged a practice whereby licensees select their programming based upon the ethnic composition of its city of license, rather, the Commission has always given its licensee great discretion in programming choice, so long as it meets the problems and needs of its community.

Although this study is concerned with the employment practices of public broadcasters, the programming issue is mentioned here because of its integral link to employment practices of broadcasters. This integral relationship between programming and employment was recently recognized by the U.S. Supreme Court in NAACP v. FPC, supra, in which the Court approved

without reservation, that FCC regulations dealing with the employment practices of its regulatees can be justified as necessary to enable the Commission to satisfy its obligation to ensure that its licensees' programming fairly reflects the tastes and viewpoints of minority groups.

The Commission's denial of PRMAEC's petition against WNET caused FCC Commissioner Benjamin L. Hooks to dissent and issue a statement charging that public television stations, especially those that are tax-financed, have a greater obligation than commercial stations to serve the needs of Blacks, people of Spanish origin and other minority segments of their viewing audience:

> WNET, the radiant jewel in the public television's crown, is unquestionably a media symbol of sophistication and urbanity whose programs I (along with millions of other Americans of every race persuasion, and background) have watched and frequently enjoyed. WNET does not, however, serve the public interest and I cannot put an approving imprimatur on its licenseeship by dismissing the instant complaint.
>
> WNET's glaring deficiencies, its failure to live up to the purposes for which it was conceived and licensed, and its gross misinterpretation of its mission as a "public" broadcaster could not be better illuminated than by this complaint by Puerto Rican Media Action and Educational Council (hereinafter, "Council"). The Council's cogent, passionate, and important complaint beams a needed spotlight on what I believe to be the central offense

committed by a public licensee. WNET's sin, one of arrogance, is to have concentrated its efforts on one minority group, the cultured, white cosmopolites, and too often neglected the enlightenment of other less fortunate minorities which it has a fundamental duty to serve. Because New York, like this nation, is nothing but an amalgam of discrete minorities, the highly educated white community should, indeed, be served by WNET. But, its current pattern of establishmentarian predomination must cease; the time has come for a showdown with public television.

* * * * *

Because it is not primarily responsible for the defection of public broadcasting from its charter obligations or its present identity crisis, I do not intend to further chide the Commission for WNET's derelictions. The chief fault lies in public broadcasting's abdication of its role as the "people's television medium", a medium wholly funded by the public through tax money and citizen contributions . . .

* * * * *

By styling itself, preponderantly, as an electronic Harvard liberal arts course, public broadcasting has forsaken those less privileged and influential whose cultural and educational needs are far more on a "street academy" or community college scale. By aspiring to titillate the sensibilities and sensitivities of the twentieth century Renaissance man, it has overlooked the intellectual needs and sensitivities of that core of the population which, after years of third-rate education and cultural repression, is just emerging from the chains of the eighteenth and nineteenth centuries. By disproportionately featuring the refinements of Western European heritage, it has slighted those whose heritage derives from Africa, Latin America and the Orient.

> Public television, without the legal or moral right to do so, has become the caucasian intellectual's home entertainment game. Its attitude toward the Council's lament of insufficient programming for Latinos is reflective of the disdain it has shown to many Black groups and others. It throws these disadvantaged people a few token bones and, aloofly, turns its back, wanting not to "mingle with the masses." Who then, if not public broadcasting whose very reason for being is its great alternative promise, will supplement the cultural and educational offerings of majority institutions. What media, if not "the people's television", will explain the complex social, financial and political intricacies of New York, the nation and this world? Does public television expect to continue to slough off these responsibilities, wholly or primarily, to commercial broadcasters?
>
> Because these are serious and material questions of fact relative to WNET's service in the public interest, and because this disposition leaves those critical questions unanswered, I must dissent.1/

Commissioner Abbott Washburn, in agreement to the main thrust of Commissioner Hooks' dissenting statement, issued a concurring statement which recognizes that non-commercial stations have a particular obligation to serve minority groups:

> While I do not believe that the license that WNET holds should be designated for hearing, I am sympathetic with the main thrust of the views expressed by Commissioner Hooks in his Dissenting Statement. Non-commercial stations in my opinion are not licensed to compete directly with commercial stations for mass audiences. Rather these stations have a particular obligation to serve minority groups, whether the minority is racial or whether it is made up of persons with particular cultural or educational needs. There has been a tendency for some public television stations to stray from this important purpose.

1/ Dissenting Statement of Commissioner Benjamin L. Hooks, In re: WNET-TV (FCC 75-192), released February 28, 1975.

Dissatisfied with the Commission's rejection of its 1974 petition to revoke WNET's license, PRMAEC adopted a new approach the following year when WNET's license was up for renewal. PRMAEC first filed a federal district court suit under Title VII of the 1964 Civil Rights Act, on behalf of named Hispanic plaintiffs, alleging employment discrimination on the licensee's part. Concurrently, it filed a formal petition to deny against WNET, attaching numerous affidavits charging specific instances of employment discrimination. Ultimately, both cases were settled through an agreement, recently filed with the Commission, setting forth goals and timetables for Hispanic employment, Hispanic representation on WNET's Board of Directors, training programs, and a cash settlement for the named plaintiff in the federal court suit. A copy of WNET's amendment to its 1975 license renewal application, incorporating the above-mentioned agreement is attached as Appendix R.

6. WETA-TV (Washington, D.C.)

As was the case with WNET, supra, the approach of negotiated commitments between a community group and a licensee can often provide the only meaningful alternative to the frustrating processes of awaiting actions by any of the agencies charged with oversight of public broadcasting employment. This approach again proved fruitful in the fall of 1975 with WETA-TV, Washington, D.C. The D.C. Media Rask Force, which had filed in 1972 a market-wide petition against virtually all District of Columbia licenseesn including WETA, this time worked up to and past the renewal petition deadline with WETA officials to avoid a second round of FCC litigation.

WETA agreed to amend its license renewal application to officially commit to the goal of achieving parity in Black employment at all levels, including both local and national programming, by 1978. (See Letter of Agreement Between GWETA and the D.C. Media Task Force, Appendix S.) In addition, WETA expressed a similar commitment to employment parity for other minorities in its service area, and women. This commitment was accepted by the FCC as part of the renewal conditions under which WETA is currently operating.

WETA had, like KQED, also been the subject of an EEOC finding of probable discrimination as early as 1973. This, too, was conciliated in the summer of 1975. Thus WETA is subject to detailed hiring, recuitment, training, and promotion commitments before two federal agencies. But the frustration of obtaining such EEOC orders and FCC-filed commitments is that without

vigorous follow-up on the part of the community, little if any monitoring of compliance takes place. Indeed, employees of both KQED and WETA have told one of the authors that at neither station were the agreements by the stations' management publicized among existing employees.

7. WNYC-TV (New York, New York)

New York City's other public television station, WNYC-TV, was challenged at the same time as WNET-TV. The charge, brought by the Network Project, was discrimination in employment of women. This was the first such formal charge, to the knowledge of the authors, brought to the FCC in connection with renewal of a public broadcaster license. The FCC found merit to the complaint and deferred to station's license, requesting that the licensee, City of New York Municipal Broadcasting System, file a new EEO program because the one filed with its renewal application did not contain any of the essential five elements of an EEO program as required by FCC rules. The Commission also required the licensee to submit a statement how how its EEO program could be reconciled with applicable civil service laws because it "must under state statute and city ordinance, hire its employees through a civil service agency that apparently is only just now formulating an 'affirmative action plan.'" In addition, the Commission solicited from the licensee a statement of the affirmative action undertaken by it or the civil service agency, or both, to obtain women applicants for all job openings for the 12-month period preceeding its Order because women were poorly represented in the employment profile of the station, and the City had imposed a hiring "freeze" on all City departments, including the licensee.[1/]

1/ 56 FCC 2d 169 at 175-6 (1975).

Upon receipt of the requested information, the Commission found that the EEO program submitted by the licensee was consistent with its rules in that it contained all the essential elements. Petitioners objected claiming that the new EEO program was deficient because it was still a bar to the equal employment of women because civil service requirements of prior education and work experience remained and that it lacked the requirement of goals and timetables for the future hiring of women. To this, the Commission stated that: its rules do not require goals or timetables:

> While the Courts may impose hiring quotas to achieve the remedial goals of Title VII of the Civil Rights Act of 1964,...our enabling statute, the Communications Act of 1934, does not empower the Commission to enforce the Civil Rights laws per se. Our charge is regulatory in scope, not remedial.
>
> (citations omitted).

The Commission determined that petitioners failed to show that the civil service requirements of prior education and work experience were not job related and it perceived, "from the facts," that the cause of the licensee's low utilization of women was not that the civil service criteria was an impediment to women, but rather, too few women qualified because too few women applied for the examination.

Although the Commission decided that an evidentiary hearing was unwarranted, it nonetheless held that the licensee must comply with its EEO rules. WNYC-TV's license renewal application was granted. However, such renewal was on the condition that the

licensee submit statements, for a three-year period, detailing the affirmative action efforts undertaken to seek and encourage female applicants for each job opening and indicating the effect of tis efforts upon employment of identified females.

8. Georgia Educational Television Network (GETN)

Two pending cases at the FCC raise similar questions of the validity of hiring practices of governmentally-owned public television stations. The Savannah NAACP in March, 1976, challenged the license renewal of the Savannah station of the Georgia State Network, licensed to the state board of education. Noted that the station itself was a mere satellite transmitter for programming produced in Atlanta, 250 miles away. No local programming was claimed to reflect to specific needs of the 400,000 viewer service area, including a 30% Black population.

None of the four higher paid engineering employees at the Savannah station are Black (one janitor is.) But even more importantly, none of the higher level technical staff at the other 7 network stations are Black, and the record of the central program production facility in Atlanta was only marginally better. Out of 11 officials and managers, none is Black. Out of 46 full time professionals, none is Black. Out of 52 techinicians, only 5 are Black. In addition, none of the 15 members of the licensee's board, the Georgia State Board of Edcuation, had been Black prior to shortly before the petition was filed, after negotiations by

the Savannah NAACP had filed.

The Savannah NAACP, like the Network Project, alleged that the Georgia State Civil Service System, through which the licensee had to hire, was in direct conflict with FCC affirmative action mandates. In addition, the NAACP charged, the licensee was delegating this critical function to another body. In dealing with agreements between local area citizens and licensee, where a community group is designated by the licensee to proffer a set of candidates for a particular position -- even community affairs director -- the FCC has been concerned with "delegation of a non-delegable licensing duty." But in this and apparently many other state public network situations the licensee is overtly delegating to another body the choice of a very narrow pool of candidates for its selection among a very narrow pool. Sometimes this is done under a "rule of three" or "rule of five," where only a certain number of applicants are certified from a master list, whether or not the pool includes women and minorities.

9. Louisiana Educational Television Authority (LETA) and WLPB-TV (Baton Rouge, La.)

On May 28, 1976, the Louisiana State Chapters of the National Organization for Women (NOW), the Southern Media Coalition, and the Louisiana Chapter of the National Welfare Rights Organization joined in filing an "informal objection" to prevent the continuing employment discrimination in violation of FCC rules and policies against 30 broadcast stations serving the State

of Louisiana. Included among the 30 Louisiana stations challenged was public broadcast station WLPB-TV of Baton Rouge, which petitioners had alledged "is far below the FCC's zone of reasonableness." Of 19 total employees, WLPB-TV's 1976 annual employment report reflects that only two are minorities. The Baton Rouge SMSA has a minority population of 29.1%.

According to petitioners pleading, all "officials and managers" positions are held by white males; and of the seven positions held by females, four (57%) are in clerical jobs.

On June 16, 1976, LETA filed with the Commission a motion asking for additional time for filing a response to petitioners' informal objection. In said motion, LETA stated that it "has been cognizant of its employment practices obligations under the Communications Act and has made good faith efforts to insur that all persons are provided with equal opportunities for employment and advancement." Although LETA's motion and attachments did not directly address the merits of petitioners complaint, it did explain the peculiar dilemma which it finds itself in as a result of being a broadcast licensee and an agency of the State of Louisiana required to follow the certification and appointment procedures of the Louisiana Civil Service Rules, which have "effectively prevented the appointment of minority group members or women to new positions.

LETA is an authroity established by the State of Louisiana for the purpose of establishing and operating a statewide network

of noncommercial, educational broadcast stations. Station WLPB-TV, Baton Rouge, is the first station in the network, which went on the air in September, 1975. Additional applications for subsequent stations are either pending or will be filed for other cities in the State in order to complete the statewide network commitment.

As an agency of the State, LETA is required to follow the certification and appointment proceidures of Chapter 8 of the Civil Service Rules of the State of Louisiana. Under these Rules, whenever an original appointment (i.e., "new Hire") is to be made, LETA must request the director of the Civil Service Commission to certify the names of persons elegible for appointment furnishing such information as the director may need to make a determination of elegibility. The director in turn certifies to LETA the names of the highest tanking elegibles from the appropriate list for the vacant position. Various criteria are utilized in establishing the list of eligibles including educational attainment, test scores, and similar factors normally associated with civil service appointments. LETA is then required to make the appointment from the top three persons on the eligible list (this is known as the "Rule of Three"), unless one or more of the top three are unavailable. In the latter instance, LETA is required to select from the top three available eligibles. Under the Louisiana system, elegibility is determined without regard to race, creed, religion or sex.

In a petition for a Definitive Order which LETA filed with the Commission on April 29, 1976, (See Appendix T), asking the FCC to issue an order directing LETA and the Department of Civil Service of the State of Louisiana to utilize selective certification with respect to original appointments to vacancies by LETA, LETA submitted an example as to how the Rule of Three prevents it from appointing minorities and women to new positions:

> In practice, it has been the experience of LETA that the Rule of Three has effectively prevented the appointment of minority group members or women to new positions. At the present time, for example, there is a vacancy for which the listed eligibles inlcude a Black who is a number nine on the list. This person is fully qualified for the position, but because of his place on the elegible list cannot be appointed by LETA unless at least six of the eligibles who out-ranked him are unavailable or decline appointment, which is unlikely. Thus, while LETA would prefer to hire this person, it cannot unless the relief requested in this Petition is granted.

In recognition of the fact that the Civil Service rules could "result in an employment profile which would give rise to suggestions of discrimination," LETA further recognized that "additional efforts should be made to insure that the spirit as well as the letter of the law regarding equal employment be observed. Accordingly, LETA has taken steps to resolve their dilemma. Their efforts included 1) requesting that the Civil Service Commission authorize selective certification of applicants

for employment, so as to permit the firing of minorities and women who otherwise would not qualify under the Rule of Three, 2) meeting with representatives of the FCC to explore the possibility of resolving the issue, and 3) filing the above-mentioned Definitive Order. In response to LETA's Definitive Order, the FCC informed LETA that it lacks jurisdiction over the Louisiana Department of Civil Service and,thus, is without authority to order that Department to utilize selective certification procedures. In the same letter the FCC urged LETA and the Civil Service Commission to achieve compliance with its EEO rules:

> Thus, while we are sympathetic toward the situation in which LETA now finds itself, we do not regard the existence of the Louisiana Civil Service Rules as excusing LETA from compliance with the fules and policies of this Commission. In this regard, simple reliance upon civil service directives, even if the directives embody non-discrimination, do not, in our view, relieve a broadcast licensee from its obligations of nondiscrimination and affirmative action to recruit and hire minority group members and women. The failure to comply with our rules can, of course, result in harsh sanctions. (See Appendix T.)

10. WJCT-ET-ER (Jacksonville, Florida)

A pleading captioned "Petition to Prevent Continued Employment Discrimination in Violation of Commission Rules and Policies" was filed by the Florida Branch of the National Association for the Advancement of Colored People (NAACP) as a petition to deny the 1976 license renewal applications of all broadcast licensees in the State of Florida. Because petitioners' pleading was procedurally defective and was lacking in specificity as a petition to deny, the FCC dismissed the pleading as a petition to deny and elected to treat the filing as an informal objection, pursuant to Section 1.587 of the Commission's Rules, with respect to 99 of the Florida broadcasting stations identified in the NAACP's pleading. Of those 99 stations remaining, the FCC concluded that the informal objection should be denied with respect to 47 stations because 26 of these stations had proposed an adequate EEO program and had performed satisfactorily in employment of women and minorities, and 21 stations either employed so few persons or were located in service areas where the minority populations were "so small as to make any statistical analysis of questionable significance." Thus, 52 were ultimately subject to FCC inquiry requesting additional EEO information.

Upon evaluation and analysis of the requested additional EEO information, which included employment data (besides the stations' annual employment reports) and affirmative action efforts, the FCC was of the belief that all the stations subject to this inquiry had demonstrated at least a good faith intent and in most

cases some reasonable efforts to comply with its EEO rules. Therefore, the Commission denied the informal objection against all stations. However, as a means to assess continued good-faith efforts, the Commission ordered 30 Florida stations to submit to the Renewal Branch on or before July 1, 1977, and with their 1979 renewal applicantions 1) a list of employees as of June 1, 1977, and Spetember 1, 1978, by job title with part-time or full-time status indicated (ranked from the highest paid to the lowest paid), date of hire, sex, and race or national origin; 2) a list of persons hired from July 7, 1976, to June 1, 1977, and from June 1, 1977, to September 1, 1978, indicating their job title, and part-time or full-time status, date of hire, sex, and race or national origin; and 3) details concerning the station's efforts to recruit for each position filled during the periods identified in 2) above, including identification sources used for purpose of increasing the station's pool of minority and/or female applicants.

Among the 30 stations subject to these renewal conditions were two public broadcasting stations, WJCT-TV and WJCT-FM, Jacksonville,which serve an SMSA having a minority population of 22%. Although the Commission does not ordinarily consider radio and television employees together to determine EEO compliance, here it did after concluding that there was not much differentiation in the effectiveness of the EEO programs of either station and there were many jointly shared employees. Of 87 employees of WJCT-TV-FM, only five were minority (6%), one of 15 radio employees

(7%) was minority and two of 52 television employees (4%) were minority; two of 20 jointly employed radio/television were minority (10%); 12 of 78 terminated employees (15%) were minority; 11 of 63 new hires (17%) were minority; and one of 11 promotions (9%) was minority. Here, surprisingly, the licensee has the courage to admit to what neither CPB, the FCC, or other regulatory agencies will: "Obviously, we must do better."

11. WDUQ-FM (Pittsburgh, Pennsylvania)

A 1972 license renewal application for Duquesne University's radio station was challenged by the Community Coalition for Media Change, a predominantly Black group from Pittsburgh, on the grounds that 1) the station was employing no minorities and no women other than a full-time secretary and one "part-time programming employee," and 2) that the station did not live up to certain promises it had made to the FCC in a construction permit application in 1969.

As to the employment discrimination issue, petitioners submitted, as an exhibit, a copy of WDUQ's "Employment Opportunity Program," which the station, attempting to explain away its less than adequate employment profile, represented:

> The reason, given us by the Black counselor, that we have not been able to attract Black students to WDUQ staff work, is that the great majority of those whose interests lie in the communications area, are all employed off-campus. This is necessary to remain in school.
>
> * * * * *
>
> The opportunities are here. Our continuing

problem is obtaining minority representatives to take advantage of the opportunities.

The station admitted that it had included three Black students in a 15-week radio workshop consisting of professional instruction and demonstration three hours a week in which the students were trained to the point where they were capable of assuming on-the-job duties. Nonetheless, the station still did not employ any Black students, contending that they could not continue to work because of economic pressure. The irony of the situation is that the station had at its disposal a part-time student work program (for pay) which could have made it possible for low-income Blacks both to continue on at the station and to remain in school.

During the three years following the filing of the Petition to Deny, the FCC took absolutely no action. In 1975, the station filed a supplemental renewal application showing that it had corrected most of the items which resulted in the complaints regarding the promises made in the 1969 construction permit. However, WDUQ still did not have a single Black or woman (other than the secretary) employed on its paid staff of ten employees (although there was plenty of "volunteer" help.

In failing to dismiss WDUQ's renewal application or committing the station to a hearing, the Commission noted, without comment, that "it was impossible to offer any paid positions to Blacks or women at the station due to a shortage of funds." What

was even more surprising was that the FCC cited the University for its "efforts" at training and recruitment and found the station to be in compliance with its EEO rules.

Such extraordinarily favorable treatment of educational broadcasting licensees, in this case, even shocked a member of the radio broadcasting industry's trade press. The Hall Radio Report, 1/ in an article entitled, "Double Standard for Public Radio?" observed:

> All this maneuvering to keep Dequesne in possession of its license came just days before FCC Chairman Wiley appeared before the Senate Communications Subcommittee. "One of the prime considerations in determining compliance with the employment laws related to the use of statistics," and just the existence of an EEO plan, Wiley testified. "Both the Commission and the courts have recognized that in the final analysis there should be some reasonable resemblence between the number of women and minorities employed and their number in the labor market," he said.

1/ November 17, 1975, Vol. 1, No. 41.

IV. STATISTICAL REVIEW AND ANALYSIS OF PUBLIC BROADCASTERS' 1976 EMPLOYMENT PROFILES

Preface

As a preface to reporting the results of this study, a summary of the results of another similar study may be helpful. Each year in January the Office of Communication of the United Church of Christ (UCC) releases a study authored by Mr. Ralph M. Jennings and Ms. Veronica M. Jefferson. UCC's latest report, Television Station Employment Practices, 1975: The Status of Minorities and Women, included information on the minority employment of some stations which are not subject to this particular study. However, the great majority of non-commercial television stations are CPB grantees; so the figures given by the UCC for the total group of non-commercial television stations is very similar to those for the total group of CPB television grantees.

The UCC study covered 145 non-commercial television stations whose minority employment performances had been monitored since 1971. An additional 36 stations increased the study for the year 1975 alone to 181 stations. The five-year comparative study indicated that minority representation on the total workforce of the 145 stations increased from 9% in 1971 to 12% in 1975, and that minority representation in full-time jobs increased similarly. Minority representation in full-time "upper three category" jobs (the same as this study's "higher pay" jobs but not including "skilled craftsmen") increased from 7% in 1971 to 10% in 1975.

Thirty percent of the stations in the five-year comparative study reported increased in the number of minority group members in the "upper three category" jobs.

The UCC study of the 181 noncommercial television stations reporting in 1975 on the FCC Forms 395 again showed that minority group members comprised 12% of the full-time and 12% of the total employees nationwide. However, the study also revealed that 29% of the stations employed zero minority group members on their full-time staffs, and that 34% of the stations had zero in the "upper three category" jobs.

Also, in April of this year, CITIZENS published a lengthy study examning the performance of the Federal courts and the FCC in monitoring efforts of broadcasters to guarantee equal employment opportunity to all employees and potential employees. That study, authored by Nolan A. Bowie and John W. Whitehead, is entitled "A Study of The Federal Communications Commission's Equal Employment Opportunity Regulation -- An Agency in Search of a Standard."

Public Broadcasters' 1976 Employment Profile

1. Television

One must keep in mind that all broadcast stations, regardless of size, must submit annually to the Federal Communications Commission employment information by filing an Annual Employment Report (FCC Form 395), illustrating the station's female and minority group representation among its workforce. This information

is required to be reported on May 31st each year and is compiled, organized, and published each January by the Research Branch of the Broadcast Bureau of the Commission.

However, the FCC reports do not scrutinize the employment statistics of stations having between five and nine full-time employees (even though these stations must still report their employment performance on the Form 396) or which had fewer than five full-time employees (which need not report actual statistics but must certify to the Commission the Form 395 that they employ fewer than five full-time employees).

All of this information as compiled by the Research Branch breaks down full-time employment into two categories: "higher pay" and "lower pay." The former includes officials and managers, professionals, technicians, sales workers (a category which does not exist in noncommercial broadcasting) and skilled craftmen; the latter includes office and clerical workers, operatives, laborers, and service workers. The Appendices A and I to this study use the same breakdowns of the workforce of noncommercial CPB grantees. Although such a division of the workforce is often meaningless because many stations report their entire workforce as being in a higher pay category than they actually are in, the information has been included in this report because in some cases it does deserve attention.

Listed in Appendix A are the minority employment performances of 201 noncommerical television stations and networks, which as of July, 1976, are receiving monetary grants from the Corporation for Public Broadcasting. The most recent employment information in the Appendix is taken from the individual station 1976 Annual Employment Report(s) submitted to the FCC via FCC Form 395 with information effective on or before March 31, 1976.

There are 128 stations receiving grants directly, two stations sharing their grant with another station but which were the only one of the two submitting employment information to the Commission, 16 state networks (intrastate interconnections of several individual noncommercial stations) receiving grants, and 82 stations sharing one of the grants given to the 16 state networks and two two-station combinations. Additionally, for the state networks which reported employment information for each station individually, there are listed in Appendix A composite reports for all of those networks' stations statewide. The listing in Appendix A includes grantees in 48 states[1/] and the District of Columbia; additional grantees are located in territories of the U.S., but their employment records have not been given scrutiny here. Where available, total employment statistics for earlier years were included for comparison purposes.

1/ Montana and Wyoming do not have public television stations.

Of the 185 individual television stations receiving CPB grants, 145 or 78.4% show 1976 employment statistics which raise questions regarding the stations' compliance with FCC equal employment opprotunity rules and policy. Minority full-time employment at 30 of the station-grantees or 16.2% was zero. Another 58 stations or 31.4% employed minority group members full-time in a percentage less than the representation of minorities in the population of the service area. Ten stations[1/] employed some minority group members full-time, but none in the higher pay category jobs. Forty-two stations or 22.7% were found to employ minority group members in a percentage greater than represented in the service area. One station reported to the Commission they had fewer than five employees and therefore did not offer a breakdown of employment into categories. Forty-seven stations were delinquent in filing their 1976 FCC Forms 395. See Appendices B and F.

Four instances were discovered where two-station combinations received CPB grants to share among the two stations. Two of the four combinations reported employment statistics to the Commission for only one of the stations, but essentially the report was a consolidation of employment for both stations. One of these two-station combinations -- WHYY/WUHY for Wilmington, Delaware, and Philadelphia, Pennsylvania -- had the same percentage of

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1/ KAKM Anchorage, Alaska; KTSC Pueblo, Colorado; WJPS Columbus, Georgia; WVAN Savannah, Georgia; WGBY Springfield, Massachusetts; KOZK Springfield, Missouri; KENW Portales, New Mixico; and KOKH Oklahoma City, Oklahoma.

full-time minority employment as the minority representation in the service area of Wilmington, Delaware. But WHYY also serves the Philadelphia SMSA which is 20.6% minority, and so the minority employment percentage then at 14.6% fails to meet this population percentage. The WLRN/WTHS two-station combination in Miami, Forida, has a staff 11.6% minority in an SMSA 38,9% minority. The other two-station combinations shared a grant but reported employment statistics for each station separately to the FCC. The two stations of the WGBH Foundation in Boston, Massachusetts, are in an SMSA containing 7.2% minority, but only WGBH-TV employes minority workers in a percentage greater than that. WGBX-TV has 6.8% full-time minorities. The two stations which make up the Oregon state network--KOAC Corvallis and KOAP Portland--but which were not reported in the employment report the FCC as such, do not employ a single minority group member full time.

In analyzing the minority employment performance records of the 16 CPB state ETV grantees an interesting phenomenon is raised: while many state networks consider themselves a single entity for some monetary grants and project or program management, each individual licensed station is also treated as an entity in itself for purposes of filing annual employment reports with the FCC. This means that then fewer than 5 employees, for example, are employed at a local transmitter or repeater channel, no employment statistics need be filed, although each station having fewer than five full-time employees must nonetheless certify to the

Commission that it employs fewer than five full-time employees. 1/ This occurrence also, intentionally or not, reduces more of the glaring and obvious statistical disparities between station workforce and the minority populations in the service area when the figures are aggregated. This point is also a reason why the FCC should not allow a state population statistical comparison when it is a particular community of license whose service is being reviewed.

State network licensees also raise another unique issue. In some instances, like Georgia and Louisiana, the licensee must rely on a state civil service system for its pool of employees. Such licensees are often frustrated by a separate bureaucracy in even sincere attempts to comply with the FCC requirement of a positive, dynamic effort to bring minority and female applicants into their employment selection pool -- either directly or through on-the-job training and scholarships/internship programs. A state statute may, in effect and contrary to FCC rules, delegate this function to a separate agency which does not hold the license. This questionable delegation of a non-delegable licensee function has also been a matter for discussion and investigation by the FCC in its suspicion of any involvement (even)

1/ Such as with the state networks of Alabama, Georgia, Hawaii, Kentucky, Maryland, Mississippi, Nebraska, North Carolina, and Vermont.

by local citizens in licensee employment decisions. If the FCC cannot find a resolution, then some other agency is certainly obliged to do so immediately.

These networks cover states in varying degrees with several interconnecting noncommercial television stations generally carrying the same programming. These networks are concentrated in the South, the Northeast, and the plains states of the Midwest. (There is also a two-station network in Hawaii which receives a CPB grant.) Seven of these networks[1/] have submitted to the FCC an Annual Employment Report for each individual station in the network, and these station reports are listed in Appendix A. Also listed in that appendix are composite reports for those networks which are simply totals of statistics reported for each station in the network. The minority representation for those stations can be compared with that in the service area or with that in the entire state. (There is no composite report for the five-station South Carolina network for 1976 or for the nine-station Alabama Educational Television Commission because each individual station reported fewer than five full-time employees and therefore there are no figures to compile. In fact, the five South Carolina stations are reported as delinquent for 1976. All of these seven networks filed reports for 36 stations.

1/ Georgia, Maine, Maryland, Nebraska, Oklahoma, South Carolina, South Dakota.

Four of those stations employed zero minority group members, while 25 of the stations were delinquent in filing an annual employment report.

The employment practices of the remaining nine state networks [1/] are best indicated by the consolidated report filed by the network for all the stations in the network. These reports are listed in Appendix A.

The minority employment practices of all 16 state network grantees are illustrated in Appendices B and D. One network grantee (Vermont) has zero full time minority employment at its stations, though Vermont is a state with low, but not zero, minority representation. In the Georgia and North Carolina networks most full-time minority employees are in the lower pay category; and also in the Georgia network most minority employees are generally part-time workers. Only Iowa employs a greater percentage of minority employees than their representation in the state. Several networks in the South have had particularly low minority employment representation in recent reports when compared to the rather high minority representation in the state; and thus serious questions about the EEO practices of those networks are raised when this time around no report has been filed with the FCC at all. Those networks are the ones in Alabama and Mississippi. See Appendices A and D.

1/ Alabama, Connecticut, Iowa, Mississippi, New Hampshire, New Jersey, North Carolina, Vermont.

Further, Connecticut, Kentucky, Maine, Maryland, Nebraska, New Hampshire, New Jersey, Oklahoma, and South Dakota are either delinquent or offered no breakdown of information, so actual employment data is not available. We realize that more detailed analyses on a state by state basis is necessary to establish substantial disparity with area minority populations. At the same time, this very inaction is an indictment against the public broadcasting system and the FCC when such laxities are tolerated.

Appendix C illustrates the minority employment performances of (only) the 185 CPB television grantees in the United States. It is somewhat encouraging that 49 or 26.5% of the stations employed the same or a greater percentage of minorities than their representation in the local service areas. But although the percentage of minority employment of 58 or 31.4% of the grantees falls somewhare below the minority representation in the service areas and 30 grantees or 16.2% failed to employ a single minority group member full time in any capacity, the shocking statistic is (again) that 47 or 25.4% of the stations are delinquent in filing their FCC Forms 395. See Appendix F.

2. Radio

Listed in Appendix I are the employment records of 172 noncommercial "CPB qualified" radio stations and agencies receiving community service grants from CPB. In light of the CPB requirement of five full time employees throughout the year mentioned above, it was assumed by the authors that a breakdown of employment information would be on file with the Commission on FCC Forms 395 submitted by the grantee. Not the case.

Not only did we fail to find detailed employment statistics for each grantee, but further found that 16 of the grantees represented to the Commission that the grantee-licensee had fewer than five full-time employees. See Appendix L. This appears to be in direct contradiction with CPB qualification criteria. Licensees which have represented to the Commission as having fewer than five full-time employees have made a serious misrepresentation to either the Commission (to avoid reporting statistics which might indicate that minority or female employment was lacking) or to CPB (in order to meet the five-employee minimum for grant eligibility.) Or perhaps both types of misrepresentations have been made. This discovery was made inadvertently, but it is important and should be brought to the attention of CPB, the Commission, and certainly should be considered by Congressional or other Federal oversight.

Eight AM-FM combinations reported their combined employment statistics to the FCC rather than individually for each station, a reporting option which is available to them. Not listed are satellite-repeater stations of a grantee which do not receive grants themselves and U.S. territorial grantees and their associates. This radio study is limited, then, to the employment practices of 37 states and the District of Columbia. Eleven states [1] have no noncommercial CPB grantee radio stations. In some states, however, monies were received by other agancies for radio projects and/or production. [2]

Appendix J is a compilation of the performances listed in Appendix I. Of the 172 radio grantees 144 or 83.8% submitted or did not submit information which still raises some question as to their minority employment practices. Twenty-seven units or 15.7% employed a lesser precentage of full-time minority staff than minority representation in the service area. Seventy-three stations or 42.4% had absolutely zero minority employees full time. (See Appendix K.) Thirty-one of those 73 stations or 44% operated in service areas with minority representation in the population of less than 5%. Five stations [3] did employ some minority group members full time, but none in the higher pay category. Twenty-five units or 14.5% reported employment of

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1/ Alabama, Connecticut, Delaware, Hawaii, Idaho, New Hamphsire, New Jersey, Nevada, Rhode Island, Vermont, Wyoming.

2/ Alabama, Maine, Nebraska, Texas.

3/ WJCT-FM Jacksonville, Florida; WABE-FM Atlanta, Georgia; WUOM-FM Ann Arbor, Michigan; KWMU-FM St. Louis, Missouri; and WUHY-FM Philadelphia, Pennsylvania.

minority group members in a percentage greater than represented in the service area. Also, seventeen stations were delinquent in reporting, and one [1/] was not yet on the air at the time of reporting requirements to the Commission. The remaining 16 stations are those earlier identified as representing to the Commission as having fewer than five full-time employees.

1/ WGTE-FM Toledo, Ohio.

V. CONCLUSION

The authors find it dismaying that in 1976 -- eight years after the FCC has issued policy statements professing interest in licensee practice of equal employment opportunity and two years after the Corporation for Public Broadcasting has expressed the same interest in its grantees -- that 27.9% of all "public" radio and television entities receiving federal funds fail to employ any minority group members full time. Another 23.3% employ minorities at a lesser percentage on a total staff basis than the minority representation in the service area. Why 20% have not even bothered to file their Annual Employment Report to the Commission, or assuming that such stations did file, their FCC Form 395s are unavailable. This implies that such reports, if submitted, were either lost or misplaced. This should be investigated.

The authors wish to point out that many of the public broadcasting stations reported in this study are the subject of EEO complaints, citizen-broadcaster agreements, FCC-applied reporting conditions, and, in the case of AETC, the denial of broadcast licenses, are what are considered to be the cream of public broadcasting. These stations include the largest major

market VHF licensees like KQED and WNET; WETA, the public television station serving the nation's capital; the large and historically well-established state networks of Alabama, Georgia and Louisiana, and; smaller market licensees which are often singled out in public broadcasting publications for praise of local programming efforts, like WJCT-TV of Jacksonville.

In light of the information contained in this study, its authors are not seeking to cast blame, but rather, we are seeking to identify which agency or agencies, governmental or non-government, will take the leadership role within the public broadcasting community to ensure that all recipients of CPB funds are in compliance with the various EEO laws, regulations and policies. In a nutshell, the authors of this study ask: "Where does the buck stop?"

APPENDIX A

MINORITY EMPLOYMENT REPORT FOR U.S. NONCOMMERCIAL TV STATIONS OR STATE NETWORKS FUNDED BY CPB

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area*/
Alabama 1/					
Alabama ETV Commission					
$288,689a/; $50,700c/					
1976 Each station submitted individual 395 reports; each indicated having fewer than five full-time employees.					26.6 S
1975 Total Employees	72		18	7	
1974 Total Employees	71		18	6	

KEY: Higher Pay - includes officials and managers, professionals, technicians, and skilled craftsmen.
Lower Pay - includes office and clerical workers, operatives, laborers, and service workers.
S - state population figures used, 1970 Census.
C - county population figures used, 1970 Census.
a/ CPB grant for general station support. Source: CPB 1975 Annual Report.
b/ CPB grant for production. Source: same.
c/ Station use of station program cooperative funds, contributed by CPB. Source: same.
d/ CPB grant for program promotion and advertising. Source: same.
e/ CPB grant for training internships, fellowships and workshops.
f/ CPB grant for communications research. Source: same.
g/ Program development and support.

*/ Service area for a station is either the standard metropolitan statistical area (SMSA) of the city of license, or if there is no SMSA, the county in which the city of license is located. For a state network the service area is the entire state.

1/ Includes WBIQ Birmingham, WCIQ Cheah State Park, WIIQ Demopolis, WDIQ Dozier, WFIQ Florence, WHIQ Huntsville, WGIQ Louisville, WEIQ Mobile, WAIQ Montgomery.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Alaska					
Anchorage					
KAKM					
$9,475a/					
1976 Higher Pay	6	2	0	0	11.6
1976 Lower Pay	1	1	1	100	(Anchorage)
1976 Full Time Total	7	3	1	14.2	
1976 Total Employees	11	1	1	9.1	
1975 Total Employees	5	1	1		
Bethel					
KYUK					
$106,000a/; $9,400c/					
1976 Higher Pay	5	1	4	80.0	90.1 C
1976 Lower Pay	6	3	3	50.0	
1976 Full Time Total	11	4	7	63.6	
1976 Total Employees	13	8	13	60.4	
1975 Total Employees	11	5	10		
1974 Total Employees	6	1	4		
Fairbanks					
KUAC					
$97,432a/; $11,000c/ $4,698e/					
1976 Delinquent					8.4 (Fairbanks)
1975 Total Employees	50	20	8		
1974 Total Employees	21	6	1		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Arizona					
Phoenix					
KAET					
$128,989a/; $125,024b/; $24,600c/; $2,767a/					
1976 Higher Pay	40	8	3	7.5	17.2 (Phoenix)
1976 Lower Pay	6	6	2	33.3	
1976 Full Time Total	46	14	5	10.8	
1976 Total Employees	63	17	6	9.5	
1975 Total Employees	53	13	4		
1974 Total Employees	61	20	7		
Tucson					
KUAT					
$120,508a/; $27,400c/					
1976 Higher Pay	34	7	1	2.9	24.7 (Tucson)
1976 Lower Pay	5	5	1	20.0	
1976 Full Time Total	39	12	2	5.1	
1976 Total Employees	69	28	5	7.2	
1975 Total Employees	55	17	4		
1974 Total Employees	63	25	7		
Arkansas					
Little Rock					
KETS					
$108,781a/; $18,800c/					
1976 Higher Pay	46	11	4	8.6	19.8
1976 Lower Pay	8	6	1	12.5	
1976 Full Time Total	54	17	5	9.2	
1976 Total Employees	56	18	5	8.9	
1975 Total Employees	52	16	6		
1974 Total Employees	42	10	4		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
California					
Eureka					
KEET					
$40,270a/; $7,800c/					
1976 Full Time Total	Fewer than 5 FT			0	2.3 C
1975 Full Time Total	Fewer than 5 Ft				
1974 Total Employees	11	3	0		
Huntington Beach					
KOCE					
$200,593a/ ; $29,900c/					
1976 Delinquent					29.8 (Los Angeles)
1975 Total Employees	72	22	4		
1974 Total Employees	64	19	3		
Los Angeles					
KCET					
$520,269a/; $207,862b/; $75,800c/; $50,000d/; $2,025e/					
1976 Higher Pay	134	36	27	20.1	29.8 (Los Angeles)
1976 Lower Pay	59	38	24	40.6	
1976 Full Time Total	193	74	51	26.4	
1976 Total Employees	196	77	53	27.0	
1975 Total Employees	193	81	46		
1974 Total Employees	160	62	34		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Arizona					
Phoenix					
KAET					
$128,939a/; $125,024b/; $24,600c/; $2,767e/					
1976 Higher Pay	40	8	3	7.5	17.2
1976 Lower Pay	6	6	2	33.3	(Phoenix)
1976 Full Time Total	46	14	5	10.8	
1976 Total Employees	63	17	6	9.5	
1975 Total Employees	53	13	4		
1974 Total Employees	61	20	7		
Tucson					
KUAT					
$120,508a/; $27,400c/					
1976 Higher Pay	34	7	1	2.9	24.7
1976 Lower Pay	5	5	1	20.0	(Tucson)
1976 Full Time Total	39	12	2	5.1	
1976 Total Employees	69	28	5	7.2	
1975 Total Employees	55	17	4		
1974 Total Employees	63	25	7		
Arkansas					
Little Rock					
KETS					
$108,781a/; $16,800c/					
1976 Higher Pay	46	11	4	8.6	19.8
1976 Lower Pay	8	6	1	12.5	
1976 Full Time Total	54	17	5	9.2	
1976 Total Employees	56	18	5	8.9	
1975 Total Employees	52	16	6		
1974 Total Employees	42	10	4		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
California					
Eureka					
KEET					
$40,270a/; $7,800c/					
1976 Full Time Total	Fewer than 5 FT			0	2.3 C
1975 Full Time Total	Fewer than 5 Ft				
1974 Total Employees	11	3	0		
Huntington Beach					
KOCE					
$200,593a/ ; $29,900c/					
1976 Delinquent					29.8 (Los Angeles)
1975 Total Employees	72	22	4		
1974 Total Employees	64	19	3		
Los Angeles					
KCET					
$520,269a/; $207,862b/; $75,800c/; $50,000d/; $2,025e/					
1976 Higher Pay	134	36	27	20.1	29.8
1976 Lower Pay	59	38	24	40.6	(Los Angeles)
1976 Full Time Total	193	74	51	26.4	
1976 Total Employees	196	77	53	27.0	
1975 Total Employees	193	81	46		
1974 Total Employees	160	62	34		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
les					
a/; $12,200c/					
igher Pay	26	5	6	23.0	29.8
ower Pay	6	4	5	83.3	(Los Angeles)
ull Time Total	32	9	11	34.3	
otal Employees	55	24	43	78.2	
otal Employees	55	16	25		
a/; $15,600c/;					
Delinquent					29.8 (Los Angeles)
otal Employees	12	2	5		
otal Employees	9	1	4		
/; $12,800c/					
igher Pay	6	1	0	0	3.0 C
ower Pay	1	1	0	0	
ull Time Total	7	2	0	0	
otal Employees	11	7	0	0	
otal Employees	15	6	0		
otal Employees	13	6	1		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
California					
Sacramento					
KVIE					
$108,472a/; $20,900c/; $4,485e/; $13,000g/					
1976 Higher Pay	25	6	2	8.0	16.3
1976 Lower Pay	7	7	1	14.2	(Sacramento)
1976 Full Time Total	32	13	3	9.3	
1976 Total Employees	37	15	3	8.1	
1975 Total Employees	26	10	4		
1974 Total Employees	25	11	4		
San Bernardino					
KVCR					
$99,725a/; $16,700c/					
1976 Higher Pay	15	0	1	6.6	20.0
1976 Lower Pay	2	2	1	50.0	(Riverside-San Bernardino)
1976 Full Time Total	17	2	2	11.7	
1976 Total Employees	23	7	5	21.7	
1975 Total Employees	25	8	3		
1974 Total Employees	25	5	2		
San Diego					
KPBS					
$130,396a/; $29,700c/					
1976 Higher Pay	30	5	1	3.3	16.9
1976 Lower Pay	11	11	3	27.2	(San Diego)
1976 Full Time Total	41	16	4	9.7	
1976 Total Employees	54	24	4	7.4	
1975 Total Employees	48	20	5		
1974 Total Employees	47	18	5		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
California					
San Francisco					
KQED					
$418,125a/; $12,500b/; $64,900c/; $9,306e/					
1976 Higher Pay	97	26	18	18.5	25.0
1976 Lower Pay	41	24	21	51.2	(San Francisco-
1976 Full Time Total	138	50	39	28.2	Oakland)
1976 Total Employees	198	79	53	26.7	
1975 Total Employees	207	82	61		
1974 Total Employees	151	54	36		
San Jose					
KTEH					
$96,475a/; $18,400c/; $800f/					
1976 Higher Pay	12	3	1	8.3	18.1
1976 Lower Pay	3	3	1	33.3	(San Jose)
1976 Full Time Total	15	6	2	13.3	
1976 Total Employees	41	13	6	14.6	
1975 Total Employees	24	5	0		
1974 Total Employees	15	5	0		
San Mateo					
KCSM					
$90,979a/; $14,400c/					
1976 Higher Pay	7	0	1	14.2	25.0
1976 Lower Pay	3	2	0	0	(San Francisco-
1976 Full Time Total	10	2	1	10.0	Oakland)
1976 Total Employees	12	3	1	8.3	
1975 Total Employees	12	4	1		
1974 Total Employees	12	4	1		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Colorado					
Denver					
KBDI/A					
$177,586a/; $40,800c/					
1976 Higher Pay	53	8	9	16.9	13.8
1976 Lower Pay	10	10	4	40.0	(Denver)
1976 Full Time Total	63	18	13	20.6	
1976 Total Employees	70	20	15	21.4	
1975 Total Employees	68	18	11		
1974 Total Employees	69	18	11		
Pueblo					
KTSC					
$54,907a/; $9,100c/					
1976 Higher Pay	7	2	0	0	30.2
1976 Lower Pay	2	2	1	50.0	(Pueblo)
1976 Full Time Total	9	4	1	11.1	
1976 Total Employees	25	10	4	16.0	
1975 Total Employees	27	7	2		
1974 Total Employees	24	6	2		
Connecticut					
Connecticut ETV Corporation2/					
$262,275a/; $44,900c/; $2,500e/					
1976 Delinquent					6.5 B
1975 Total Employees	50	16	7		
1974 Total Employees	46	21	5		

2/ Includes WEDW Bridgeport, WEDH Hartford, WEDN Norwich, WEDY New Haven.

	Total Employees	Total Females	9 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Delaware					
Wilmington					
WHYY/WUHY (Philadelphia)					
$338,371a/; $50,400c/					
1976 Higher Pay	77	10	6	8.3	14.6
1976 Lower Pay	24	17	8	33.3	(Wilmington)
1976 Full Time Total	96	27	14	14.6	
1976 Total Employees	98	27	15	15.3	20.6
1975 Total Employees	101	29	14		(Philadelphia)
1974 Total Employees	93	20	9		
District of Columbia					
Washington					
WETA					
$624,880a/; $53,600c/; $5,627e/					
1976 Higher Pay	111	36	23	20.7	27.8
1976 Lower Pay	34	26	11	32.4	(Washington)
1976 Full Time Total	145	62	34	23.5	
1976 Total Employees	152	64	36	23.7	
1975 Total Employees	143	58	28		
1974 Total Employees	150	55	24		
Florida					
Gainesville					
WUFT					
$105,782a/; $19,100c/					
1976 Higher Pay	19	5	1	5.3	23.3
1976 Lower Pay	3	3	0	0	(Gainesville)
1976 Full Time Total	22	8	1	4.5	
1976 Total Employees	70	23	4	5.7	
1975 Total Employees	90	26	10		
1974 Total Employees	86	20	5		

	Total Employees	Total Females	10 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Florida					
Jacksonville					
WJCT					
$169,863a/; $37,100c/; $3,200e/					
1976 Delinquent					23.8 (Jacksonville)
1975 Total Employees	66	21	5		
1974 Total Employees	77	25	9		
Miami					
WLRN/WTHS					
$123,300a/; $1,000c/					
1976 Higher Pay	36	1	3	8.3	38.9
1976 Lower Pay	10	9	1	1.0	(Miami)
1976 Full Time Total	46	10	4	8.7	
1976 Total Employees					
1975 Total Employees	43	9	5	11.6	
1974 Total Employees	43	9	3		
WPBT					
$165,481a/; $4,910b/; $33,600c/; $5,675e/					
1976 Higher Pay	49	10	10	20.4	38.9
1976 Lower Pay	13	8	5	38.5	(Miami)
1976 Full Time Total	75	28	15	20.0	
1976 Total Employees	82	33	16	19.5	
1975 Total Employees	72	24	10		
1974 Total Employees	72	24	11		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Florida					
Orlando					
WMFE					
$115,208a/; $18,100c/					
1976 Higher Pay	32	7	3	9.4	16.5
1976 Lower Pay	6	5	1	16.6	(Orlando)
1976 Full Time Total	38	12	4	10.5	
1976 Total Employees	41	14	4	9.8	
1975 Total Employees	40	11	2		
1974 Total Employees	33	8	1		
Pensacola					
WSRE					
$103,898a/; $18,600c/					
1976 Higher Pay	37	5	2	5.4	20.1
1976 Lower Pay	3	3	0	0	(Pensacola)
1976 Full Time Total	40	8	2	5	
1976 Total Employees	63	16	6	9.5	
1975 Total Employees	64	20	4		
1974 Total Employees	48	12	2		
Tallahassee					
WFSU					
$107,199a/; $14,200c/					
1976 Higher Pay	52	14	7	13.5	27.4
1976 Lower Pay	4	4	0	0	(Tallahassee)
1976 Full Time Total	56	18	7	12.5	
1976 Total Employees	61	21	7	11.5	
1975 Total Employees	61	18	6		
1974 Total Employees	51	11	4		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Florida					
Tampa					
WEDU					
$130,642a/; $29,800c/					
1976 Higher Pay	37	8	3	8.1	15.0
1976 Lower Pay	14	12	3	21.4	(Tampa-
1976 Full Time Total	51	20	6	11.8	St. Petersbur
1976 Total Employees	60	22	9	15	
1975 Total Employees	65	26	3		
1974 Total Employees	56	24	4		
WUSF					
$103,758a/; $6,800c/					
1976 Higher Pay	20	1	2	10	15.0
1976 Lower Pay	2	2	1	50	(Tampa-
1976 Full Time Total	22	3	3	13.6	St. Petersbur
1976 Total Employees	78	25	5	6.4	
1975 Total Employees	51	13	5		
1974 Total Employees	26	6	3		
Georgia					
Athens					
WGTV					
$152,175a/; $28,300c/					
1976 Higher Pay	48	9	3	6.3	20.4 C
1976 Lower Pay	8	8	0	0	
1976 Full Time Total	56	17	3	5.4	
1976 Total Employees	63	20	3	4.8	
1975 Total Employees	53	20	4		
1974 Total Employees	47	18	1		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Georgia					
Atlanta					
WETV					
$143,105a/; $34,600c/; $6,375e/					
1976 Delinquent					23.2 (Atlanta)
1975 Total Employees	55	20	14		
1974 Total Employees	56	21	12		
Augusta-Wrens					
WCES3/					
1976 Higher Pay	4	0	0	0	28.7 (Augusta)
1976 Lower Pay	1	0	0	0	
1976 Full Time Total	5	0	0	0	
1976 Total Employees	5	0	0	0	
1975 Total Employees	5	0	0		
1974 Total Employees	5	0	0		
Chatsworth					
WCLP3/					
1976 Delinquent					0.5 C
1975 Total Employees	4	0	0		
1974 Total Employees	4	0	0		

3/ Shares the one grant to Georgia ETV Network.

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Georgia					
Cochran					
WDCO3/					
1976 Higher Pay	4	0	0	0	22.6 C
1976 Lower Pay	1	0	0	0	
1976 Full Time Total	5	0	0	0	
1976 Total Employees	5	0	0	0	
1975 Total Employees	5	0	0		
1974 Total Employees	5	0	0		
Columbus					
WJSP3/					
1976 Higher Pay	4	0	0	0	31.4 (Columbus)
1976 Lower Pay	1	0	1	100	
1976 Full Time Total	5	0	1	20.0	
1976 Total Employees	5	0	1	20.0	
1975 Total Employees	5	0	1		
1974 Total Employees	5	0	1		
Dawson					
WACS3/					
1976 Delinquent					59.6 C
1975 Total Employees	4	0	0		
1974 Total Employees	4	0	0		

3/ Shares one grant to Georgia ETV Network.

	Total Employees	Total Females	15 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Georgia					
Pelham					
WABW3/					
1976 Higher Pay	4	0	0	0	48.5 C
1976 Lower Pay	1	0	1	100	
1976 Full Time Total	5	0	1	20	
1976 Total Employees	5	0	1	20	
1975 Total Employees	5	0	0		
1974 Total Employees	5	0	1		
Savannah					
WVAN3/					
1976 Higher Pay	4	0	0	0	33.9
1976 Lower Pay	1	0	1	100	(Savannah)
1976 Full Time Total	5	0	1	20	
1976 Total Employees	5	0	1	20	
1975 Total Employees	5	0	0		
1974 Total Employees	5	0	1		
Waycross					
WXGA3/					
1976 Delinquent					22.5 C
1975 Total Employees	5	0	0		
1974 Total Employees	5	0	0		

3/ Shares one grant to Georgia ETV Network.

	Total Employees	Total Females	16 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Georgia					
Georgia ETV Network					
Composite Report					
$307,326a/; $54,200c/					
1976 Higher Pay	109	15	5	4.6	26.2 S
1976 Lower Pay	20	10	9	45	
1976 Full Time Total	129	25	14	10.9	
1976 Total Employees	340	113	51	15	
1975 Total Employees	38	0	1		
1974 Total Employees	38	0	3		
Hawaii					
Hawaii Public Broad-					
casting Authority4/					
$189,205a/; $41,400c/					
1976 Delinquent					61.2 S
1975 Total Employees	62	19	28		
1974 Total Employees	66	20	26		
Idaho					
Boise					
KAIN					
$91,921a/; $9,700c/					
1976 Higher Pay	16	3	0	0	2.0
1976 Lower Pay	1	1	0	0	(Boise)
1976 Full Time Total	17	4	0	0	
1976 Total Employees	27	9	2	7.4	
1975 Total Employees	25	9	1		
1974 Total Employees	23	6	1		

4/ Figures include staffs for KHET Honolulu and KMEB Wailuku.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Idaho					
Moscow					
KUID					
$102,053a/; $11,700c/					
1976 Higher Pay	15	3	0	0	1.4 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	16	4	0	0	
1976 Total Employees	43	10	1	2.3	
1975 Total Employees	50	14	2		
1974 Total Employees	40	12	2		
Pocatello					
KBGL					
$88,093a/; $9,600c/					
1976 Higher Pay	12	1	1	8.3	3.7 C
1976 Lower Pay	3	3	0	0	
1976 Full Time Total	15	4	0	0	
1976 Total Employees	37	12	1	2.7	
1975 Total Employees	39	10	3		
1974 Total Employees	32	8	2		
Illinois					
Carbondale					
WSIU					
$124,659a/; $25,500c/					
1976 Higher Pay	21	1	0	0	8.0 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	22	2	0	0	
1976 Total Employees	32	4	1	3.1	
1975 Total Employees	39	4	1		
1974 Total Employees	35	3	0		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Illinois					
Chicago					
WTTW					
$430,596a/; $272b/; $59,500c/; $50,080d/; $1,508e/					
1976 Higher Pay	123	27	17	13.8	24.6
1976 Lower Pay	43	25	8	18.6	(Chicago)
1976 Full Time Total	166	52	25	15.0	
1976 Total Employees	176	60	26	14.7	
1975 Total Employees	171	61	26		
1974 Total Employees	154	52	25		
Peoria					
WTVP					
$88,977a/; $14,000c/					
1976 Higher Pay	7	1	0	0	7.0
1976 Lower Pay	1	1	0	0	(Peoria)
1976 Full Time Total	8	2	0	0	
1976 Total Employees	34	12	4	11.8	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Urbana					
WILL					
$103,133a/; $20,100c/					
1976 Higher Pay	15	2	2	13.3	10.1
1976 Lower Pay	3	3	2	66.6	(Champaign-Urbana)
1976 Full Time Total	18	5	4	22.2	
1976 Total Employees	50	16	8	16	
1975 Total Employees	47	11	4		
1974 Total Employees	36	8	8		

	Total Employees	Total Females	19 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Indiana					
Bloomington					
WTIU					
$96,987a/; $16,800c/					
1976 Higher Pay	20	4	0	0	2.8 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	21	5	0	0	
1976 Total Employees	63	12	1	1.6	
1975 Total Employees	75	16	0		
1974 Total Employees	66	16	1		
Evansville					
WNIN					
$82,459a/; $11,600c/					
1976 Higher Pay	16	5	0	0	6.6
1976 Lower Pay	3	3	0	0	(Evansville)
1976 Full Time Total	19	8	0	0	
1976 Total Employees	27	10	0	0	
1975 Total Employees	19	7	0		
1974 Total Employees	14	6	0		
Indianapolis					
WFYI					
$104,295a/; $17,000c/					
1976 Higher Pay	13	3	1	7.6	15.2
1976 Lower Pay	2	2	0	0	(Indianapolis)
1976 Full Time Total	15	5	1	6.6	
1976 Total Employees	19	5	2	13.3	
1975 Total Employees	17	5	2		
1974 Total Employees	13	3	2		

	Total Employees	Total Females	20 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Indiana					
Muncie					
WIPB					
$75,459a/; $9,900c/					
1976 Higher Pay	10	1	0	0	8.1
1976 Lower Pay	0	0	0	0	(Muncie)
1976 Full Time Total	10	1	0	0	
1976 Total Employees	15	3	0	0	
1975 Total Employees	12	2	0		
1974 Total Employees	9	2	0		
St. John					
WCAE					
$79,072a/; $9,900c/					
1976 Higher Pay	8	0	0	0	24.9
1976 Lower Pay	1	1	0	0	(Gary)
1976 Full Time Total	9	1	0	0	
1976 Total Employees	19	5	0	0	
1975 Total Employees	18	3	0		
1974 Total Employees	12	1	0		
South Bend					
WNIT					
$80,193a/; $12,900c/					
1976 Higher Pay	15	4	3	20	8.4
1976 Lower Pay	2	2	1	0	(South Bend)
1976 Full Time Total	17	6	4	23.5	
1976 Total Employees	20	7	4	20	
1975 Total Employees	18	6	4		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Indiana					
Vincennes					
WVUT					
$80,807a/; $8,200c/					
1976 Delinquent					1.0 C
1975 Total Employees	9	1	1		
1974 Total Employees	10	1	0		
Iowa					
Iowa State Educational Radio and Television Facility Board5/					
$213,064a/; $44,200c/					
1976 Higher Pay	84	10	4	4.76	1.5 B
1976 Lower Pay	6	6	0	0	
1976 Full Time Total	90	16	4	4.44	
1976 Total Employees	100	20	4	2.5	
1975 Total Employees	72	16	0		
1974 Total Employees	62	11	0		
Kansas					
Topeka					
KTWU					
$54,706a/; $8,900c/					
1976 Higher Pay	10	0	0	0	11.4 (Topeka)
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	11	1	0	0	
1976 Total Employees	20	6	1	5	
1975 Total Employees	17	3	1		
1974 Total Employees	16	4	1		

/ Includes KDIN Des Moines, KIIN Iowa City, KRIN Waterloo.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Kansas					
Wichita/Hutchinson					
KPTS					
$86,799a/; $15,900c/; $216e/					
1976 Higher Pay	21	3	1	4.8	11.4
1976 Lower Pay	5	4	2	40.0	(Wichita)
1976 Full Time Total	26	7	3	11.5	
1976 Total Employees	35	11	4	11.4	
1975 Total Employees	24	7	2		
1974 Total Employees	20	5	2		
Kentucky					
Louisville					
WKPC					
$146,349a/; $42,200c/					
1976 Higher Pay	8	1	0	0	14.0
1976 Lower Pay	2	2	0	0	(Louisville)
1976 Full Time Total	10	3	0	0	
1976 Total Employees	13	3	1	7.7	
1975 Total Employees	68	25	4		
1974 Total Employees	62	27	5		
Kentucky Authority for ETV6/					
$319,106a/; $53,200c/					
1976 Delinquent					7.7 B
1975 Total Employees	141	39	8		
1974 Total Employees	125	33	9		

6/ Includes WKMJ Louisville, WKHA Hadisonville, WKAS Ashland, WKGB Bowling Green, WCVN Covington, WKZT Elizabethtown, WKHA Hazard, WKLE Lexington, WKMR Morehead, WKMU Murray, WKON Owenton, WKPI Pikeville, WKSO Somerset.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Louisiana					
Baton Rouge					
WLPB					
$30,800c/					
1976 Higher Pay	34	2	3	8.8	29.1
1976 Lower Pay	8	8	1	12.5	(Baton Rouge)
1976 Full Time Total	42	10	4	9.5	
1976 Total Employees	44	12	4	9.0	
1975 Total Employees	20	7	2		
New Orleans					
WYES					
$134,368a/; $30,200c/					
1976 Higher Pay	35	6	5	14.3	35.1
1976 Lower Pay	9	6	2	22.2	(New Orleans)
1976 Full Time Total	44	12	7	15.9	
1976 Total Employees	47	13	7	14.9	
1975 Total Employees	44	16	5		
1974 Total Employees	40	13	2		
Maine					
Augusta					
WCBB					
$96,225a/; $15,900c/					
1976 Higher Pay	16	2	0	0	0.3 C
1976 Lower Pay	7	7	0	0	
1976 Full Time Total	23	9	0	0	
1976 Total Employees	36	13	0	0	
1975 Total Employees	32	10	0		
1974 Total Employees	24	8	0		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Maine					
Biddeford					
WMEG7/					
1976 Delinquent					0.7 C
1975 Total Employees	3	0	0		
Calais					
WMED7/					
1976 Delinquent					2.3 C
1975 Total Employees	3	0	0	0	
Orono					
WMEB7/					
$141,046a/					
1976 Delinquent					1.0 C
1975 Total Employees	57	15	0		
Presque Isle					
WMEM7/					
1976 Delinquent					1.5 C
1975 Total Employees	3	0	0		

7/ Shares the one grant to Maine Network.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Maine					
Maine Network Composite $141,046a/; $32,000c/					
1976 Delinquent					
1975 Total Employees	66	15	0		0.7 B
1974 Total Employees	59	14	0		
Maryland					
Baltimore/Annapolis WMPB9/					
1976 Higher Pay	196	59	25	12.7	25.2 (Baltimore City)
1976 Lower Pay	35	25	4	11.4	
1976 Full Time Total	231	85	29	12.5	
1976 Total Employees	238	89	29	12.1	
1975 Total Employees	221	76	27		
1974 Total Employees	218	68	32		
Hagerstown WWPB8/					
1976 Higher Pay	[illegible]	0	0	0	3.4 C
1976 Lower Pay	[illegible]	0	0	0	
1976 Full Time Total	[illegible]	0	0	0	
1976 Total Employees	6	0	0	0	
1975 Total Employees	5	0	0		

9/ Shares the one grant to Maryland Network.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Maryland					
Salisbury WCPB9/					
1976 Higher Pay	5	0	0	0	21.4 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	0	0	0	
1976 Total Employees	6	0	0	0	
1975 Total Employees	5	0	0		
1974 Total Employees	5	0	0		
Maryland Public Broadcasting Commission Composite Report $504,531a/; $2,034b/; $64,300c/					
1976 Delinquent					18.6 B
1975 Total Employees	231	76	27		
1974 Total Employees	223	68	32		
Massachusetts					
Boston WGBH9/ $648,632a/; $1,944,450b/; $80,300c/					
1976 Higher Pay	156	50	18	11.5	7.2 (Boston)
1976 Lower Pay	81	60	8	9.8	
1976 Full Time Total	237	110	26	10.9	
1976 Total Employees	264	125	26	9.8	
1975 Total Employees	273	131	23		
1974 Total Employees	202	86	16		

9/ Shares the one grant to WGBH and WGBX (both licensed to WGBH foundation).

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Massachusetts					
Boston					
WGBX9/					
1976 Higher Pay	20	12	1	5.0	7.2
1976 Lower Pay	6	3	1	16.6	(Boston)
1976 Full Time Total	26	15	2	7.6	
1976 Total Employees	29	17	2	6.8	
1975 Total Employees	29	15	2		
1974 Total Employees	56	23	6		
Springfield					
WGBY					
$148,046a/; $24,000c/					
1976 Higher Pay	22	6	0	0	7.9
1976 Lower Pay	4	[illegible]	1	25.0	(Springfield)
1976 Full Time Total	26	1[illegible]	1	3.8	
1976 Total Employees	30	1[illegible]	1	3.3	
1975 Total Employees	26	12	2		
1974 Total Employees	19	7	2		
Michigan					
Detroit					
WTVS					
$190,614a/; $44,200c/					
1976 Higher Pay	50	15	15	30.0	19.4
1976 Lower Pay	12	11	9	75.0	(Detroit)
1976 Full Time Total	62	26	24	38.7	
1976 Total Employees	73	30	29	39.7	
1975 Total Employees	69	29	25		
1974 Total Employees	61	23	24		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Michigan					
East Lansing					
WKAR					
$241,294a/; $42,800c/; $4,435e/					
1976 Higher Pay	53	5	4	7.5	6.9
1976 Lower Pay	6	6	0	0	(Lansing)
1976 Full Time Total	59	11	4	6.7	
1976 Total Employees	67	15	6	8.9	
1975 Total Employees	67	14	4		
1974 Total Employees	73	15	7		
Grand Rapids					
WGVC					
$101,248a/; $14,000c/					
1976 Delinquent					6.9 (Grand Rapids)
1975 Total Employees	35	12	3		
1974 Total Employees	37	11	3		
Marquette					
WNPB					
$110,125a/; $14,000c/					
1976 Delinquent					2.4 C
1975 Total Employees	29	11	1		
1974 Total Employees	39	11	0		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Michigan					
Mt. Pleasant					
WCMU					
$91,817a/; $14,700c/					
1976 Delinquent					2.2 C
1975 Total Employees	25	2	1		
1974 Total Employees	32	8	1		
University Center					
WUCM					
$110,660a/; $14,900c/					
1976 Higher Pay	18	2	1	5.5	3.0
1976 Lower Pay	3	3	0	0	(Bay City)
1976 Full Time Total	21	5	1	4.7	
1976 Total Employees	37	11	2	5.4	
1975 Total Employees	38	11	2		
1974 Total Employees	33	10	1		
Minnesota					
Appleton					
KWCM					
$62,718a/; $4,300c/					
1976 Delinquent					0.2 C
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Austin					
KAVT					
$85,187a/; $7,900c/					
1976 Delinquent					0.2 C
1975 Total Employees	8	1	0		
1974 Total Employees	Delinquent				

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Minnesota					
Duluth					
WDSE					
$82,748a/; $9,900c/					
1976 Higher Pay	7	0	0	0	1.5
1976 Lower Pay	2	2	0	0	(Duluth)
1976 Full Time Total	9	2	0	0	
1976 Total Employees	16	5	1 PT	6.3	
1975 Total Employees	9	2	0		
1974 Total Employees	10	3	0		
St. Paul					
KTCA					
$205,377a/; $32,600c/; $3,305e/					
1976 Higher Pay	41	7	2	4.9	4.0
1976 Lower Pay	11	11	0	0	(Minneapolis)
1976 Full Time Total	52	18	4	7.7	
1976 Total Employees	72	27	5	6.9	
1975 Total Employees	73	22	4		
1974 Total Employees	60	17	3		
Mississippi					
Mississippi Authority for ETV9/					
$259,724a/; $51,300c/					
1976 Delinquent					37.2 B
1975 Total Employees	142	32	14		
1974 Total Employees	118	26	9		

9/ Includes WMAH Biloxi, WMAE Booneville, WMAU Bude, WMAO Greenville, WMAA Jackson, WMAW Meridian, WMAV Oxford, WMAB State College.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Missouri					
Kansas City					
KCPT					
$137,334a/; $20,200c/; $4,247 e/					
1976 Higher Pay	19	6	2	10.5	14.7
1976 Lower Pay	7	7	1	14.3	(Kansas City)
1976 Full Time Total	26	13	3	11.5	
1976 Total Employees	31	15	3	9.7	
1975 Total Employees	25	11	1		
1974 Total Employees	26	12	2		
St. Louis					
KETC					
$174,833a/; $34,800c/; $50,000d/; $8,000e/					
1976 Higher Pay	54	21	14	25.9	17.5
1976 Lower Pay	12	10	5	41.6	(St. Louis)
1976 Full Time Total	68	31	19	27.9	
1976 Total Employees	140	33	21	15.0	
1975 Total Employees	83	32	16		
1974 Total Employees	97	32	17		
Springfield					
KOZK					
$35,979a/					
1976 Higher Pay	14	2	0	0	2.4
1976 Lower Pay	2	1	0	0	(Springfield)
1976 Full Time Total	17	3	1	5.8	
1976 Total Employees	21	6	1	4.7	
1975 Total Employees	15	4	1		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Nebraska					
Alliance					
KTNE10/					
1976 Delinquent					4.2 C
1975 Total Employees	4	0	0		
1974 Total Employees	4	0	0		
Bassett					
KHNE10/					
1976 Delinquent					0 C
1975 Total Employees	4	0	0		
1974 Total Employees	4	0	0		
Hastings					
KHNE10/					
1976 Delinquent					0.7 C
1975 Total Employees	1	0	0		
1974 Total Employees	1	0	0		
Lexington					
KLNE10/					
1976 Delinquent					0.3 C
1975 Total Employees	4	0	0		
1974 Total Employees	4	0	0		

10/ Shares the one grant to Nebraska Network.

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Nebraska					
Lincoln					
KUCN					
$201,909a/; $600b/; $90,200c/					
1976 Higher Pay	97	19	6	6.2	3.5
1976 Lower Pay	15	12	0	0	(Lincoln)
1976 Full Time Total	112	31	6	5.4	
1976 Total Employees	117	35	6	5.1	
1975 Total Employees	109	26	5		
1974 Total Employees	127	27	3		
Merriman					
KHNE10/					
1976 Delinquent					1.5 C
1975 Total Employees	4	0	0		
1974 Total Employees	3	0	0		
Norfolk					
KXNE10/					
1976 Delinquent					0.7 C
1975 Total Employees	1	0	0		
1974 Total Employees	1	0	0		
North Platte					
KPNE10/					
1976 Delinquent					1.1 C
1975 Total Employees	4	0	0		
1974 Total Employees	4	0	0		

10/ Shares the one grant to Nebraska Network.

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Nebraska					
Omaha					
KYNE10/					
1976 Delinquent					9.5 (Omaha)
1975 Total Employees	0				
1974 Total Employees	0				
Nebraska ETV Network Composite					
$211,540a/					
1976 Delinquent					3.4 B
1975 Total Employees	22	0	0		
1974 Total Employees	21	0	0		
Nevada					
Las Vegas					
KLVX					
$144,842a/; $25,400c/					
1976 Higher Pay	21	5	1	4.7	15.6
1976 Lower Pay	10	8	2	20.0	(Las Vegas)
1976 Full Time Total	31	13	3	9.6	
1976 Total Employees	43	16	5	11.6	
1975 Total Employees	53	17	4		
1974 Total Employees	52	20	4		

10/ Shares the one grant to Nebraska Network

	Total Employees	Total Females	35 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
New Hampshire					
New Hampshire Network11/					
$154,382a/; $32,800c/					
1976 Delinquent					0.6 B
1975 Total Employees	61	20	1		
1974 Total Employees	69	27	1		
New Jersey					
New Jersey Network12/					
$484,868a/; $57,400c/; $13,000g/					
1976 Delinquent					11.4 B
1975 Total Employees	157	37	23		
1974 Total Employees	153	36	23		
New Mexico					
Albuquerque					
KNME					
$113,575a/; $27,200c/; $4,073e/					
1976 Higher Pay	24	0	5	20.8	37.0 (Albuquerque)
1976 Lower Pay	2	2	1	50	
1976 Full Time Total	26	2	6	23	
1976 Total Employees	30	4	6	20.0	
1975 Total Employees	30	5	4		
1974 Total Employees	29	4	5		

11/ Includes WEDB Berlin, WENH Durham, WNED Hannover, WEKW Keene, WLED Littleton.

12/ Includes WNJS Camden, WNJN Montclair, WNJB New Brunswick, WNJT Trenton.

	Total Employees	Total Females	36 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
New Mexico					
Las Cruces					
KRWG					
$98,066a/; $9,900c/; $4,073e/					
1976 Higher Pay	13	1	1	7.7	54.1 C
1976 Lower Pay	0	0		0	
1976 Full Time Total	13	1	1	7.7	
1976 Total Employees	37	9	4	10.8	
1975 Total Employees	35	8	4		
1974 Total Employees	28	8	7		
Portales					
KENW					
$53,181a/; $8,300c/					
1976 Higher Pay	10	0	0	0	17.6 C
1976 Lower Pay	1	2	1	100	
1976 Full Time Total	12	2	1	8.3	
1976 Total Employees	32	10	3	9.4	
1975 Total Employees	25	11	3		
New York					
Binghamton					
WSKG					
$121,077a/; $21,500c/					
1976 Delinquent					1.7 (Binghamton)
1975 Total Employees	24	9	0		
1974 Total Employees	26	9	1		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
New York					
Buffalo					
WNED					
$191,712a/; $2,775b/; $43,000c/					
1976 Higher Pay	39	8	5	12.8	10.2
1976 Lower Pay	9	9	2	22.2	(Buffalo)
1976 Full Time Total	48	17	7	14.6	
1976 Total Employees	55	19	8	14.5	
1975 Total Employees	55	20	6		
1974 Total Employees	45	15	4		
Garden City					
WLIW					
$225,048a/; $36,300c/; $4,507e/					
1976 Higher Pay	23	10	1	4.3	8.3
1976 Lower Pay	9	8	2	2.2	(Nassau-Suffolk)
1976 Full Time Total	32	18	3	9.3	
1976 Total Employees	48	22	4	8.3	
1975 Total Employees	45	17	4		
1974 Total Employees	44	18	3		
New York					
WNET					
$650,000a/; $1,475,000b/; $107,000c/; $50,000d/; $1,705e/					
1976 Delinquent					40.7 (New York)
1975 Total Employees	508	223	104		
1974 Total Employees	427	177	89		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
New York					
New York					
WNYC					
$379,433a/; $55,800c/					
1976 Delinquent					40.7 (New York)
1975 Total Employees	47	5	12		
1974 Total Employees	68	10	17		
WNYE					
$341,396a/; $30,300c/					
1976 Delinquent					40.7 (New York)
1975 Total Employees	69	25	16		
1974 Total Employees	68	24	17		
Rochester					
WXXI					
$328,398a/; $42,000c/; $2,250e/					
1976 Higher Pay	45	7	3	6.6	8.7
1976 Lower Pay	16	13	2	12.5	(Rochester)
1976 Full Time Total	61	20	5	8.2	
1976 Total Employees	71	25	7	9.9	
1975 Total Employees	63	22	7		
1974 Total Employees	61	20	4		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
New York					
Schenectady					
WMHT					
$151,765a/; $39,100c/					2.6 C
1976 Higher Pay	46	9	2	4.3	
1976 Lower Pay	11	10	0	0	
1976 Full Time Total	57	19	2	3.5	
1976 Total Employees	69	25	3	4.3	
1975 Total Employees	54	22	4		
1974 Total Employees	51	21	3		
Syracuse					
WCNY					
$141,585a/; $37,500c/					5.4 (Syracuse)
1976 Higher Pay	42	14	4	9.5	
1976 Lower Pay	8	5	0	0	
1976 Full Time Total	50	19	4	8	
1976 Total Employees	62	22	4	6.5	
1975 Total Employees	53	17	2		
1974 Total Employees	59	17	4		
Watertown					
WNPE					
$99,567a/; $13,700c/					0.5 C
1976 Higher Pay	15	3	1	6.6	
1976 Lower Pay	6	6	0	0	
1976 Full Time Total	21	9	1	4.8	
1976 Total Employees	22	10	1	4.5	
1975 Total Employees	19	8	1		
1974 Total Employees	15	6			

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
North Carolina					
North Carolina Network13/					23.4 S
$220,698a/; $46,000c/					
1976 Higher Pay	69	5	2	2.8	
1976 Lower Pay	14	11	3	21.4	
1976 Full Time Total	83	16	5	6.2	
1976 Total Employees	104	25	6	5.8	
1975 Total Employees	104	20	8		
1974 Total Employees	111	19	7		
Charlotte					
WTVI					21.7 (Charlotte)
$118,755a/; $23,400c/					
1976 Higher Pay	27	7	5	18.5	
1976 Lower Pay	5	4	2	40.0	
1976 Full Time Total	32	11	7	21.8	
1976 Total Employees	39	11	7	17.9	
1975 Total Employees	39	11	6		
1974 Total Employees	37	11	6		
North Dakota					
Fargo					
KFME					0.9 (Fargo-Moorhead)
$85,880a/; $12,200c/					
1976 Higher Pay	15	4	1	6.6	
1976 Lower Pay	3	0	0	0	
1976 Full Time Total	18	4	1	5.5	
1976 Total Employees	20	5	1	3.6	
1975 Total Employees	18	5	1		
1974 Total Employees	16	6			

13/ Includes WUNF Asheville, WUNC Chapel Hill, WUND Columbia, WUNG Concord, WUNK Greenville, WUNE Linville, WUNJ Wilmington, WUNL Winston-Salem.

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Ohio					
Alliance					
WNEO					
$180,494a/; $15,100c/					
1976 Higher Pay	13	3	1	7.6	6.9
1976 Lower Pay	1	1	0	0	(Canton)
1976 Full Time Total	14	4	1	7.1	
1976 Total Employees	23	7	2	8.6	
1975 Total Employees	15	5	2		
Athens					
WOUB					
$183,667a/; $10,900c/					
1976 Higher Pay	26	4	0	0	3.1 C
1976 Lower Pay	5	5	0	0	
1976 Full Time Total	31	9	0	0	
1976 Total Employees	71	35	3	4.2	
1975 Total Employees	66	20	5		
1974 Total Employees	67	17	5		
Bowling Green					
WBGU					
$212,725a/; $27,800c/					
1976 Higher Pay	28	8	0	0	10.2
1976 Lower Pay	3	3	0	0	(Toledo)
1976 Full Time Total	31	11	0	0	
1976 Total Employees	82	32	2	2.4	
1975 Total Employees	83	27	3		
1974 Total Employees	72	22	4		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Ohio					
Cincinnati					
WCET					
$151,711a/; $500b/; $33,700c/					
1976 Higher Pay	45	15	2	4.4	12.3
1976 Lower Pay	11	10	5	45.4	(Cincinnati)
1976 Full Time Total	56	25	7	12.5	
1976 Total Employees	69	31	8	11.6	
1975 Total Employees	68	30	8		
1974 Total Employees	50	22	6		
Cleveland					
WVIZ					
$249,140a/; $45,300c/					
1976 Higher Pay	51	9	3	5.8	18.2
1976 Lower Pay	19	18	0	0	(Cleveland)
1976 Full Time Total	70	27	3	4.2	
1976 Total Employees	95	40	5	5.2	
1975 Total Employees	80	32	2		
1974 Total Employees	75	30	3		
Columbus					
WOSU					
$160,821a/; $35,700c/; $2,236e/					
1976 Higher Pay	54	13	3	5.5	12.5
1976 Lower Pay	8	7	0	0	(Columbus)
1976 Full Time Total	62	20	3	4.8	
1976 Total Employees	76	26	4	5.3	
1975 Total Employees	71	19	4		
1974 Total Employees	65	18	2		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Ohio					
Newark					
WGSF					
$74,333a/; $7,700c/					
1976 Higher Pay	7	2	0	0	1.7 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	8	3	0	0	
1976 Total Employees	16	5	0	0	
1975 Total Employees	10	3	0		
1974 Total Employees	10	3	0		
Oxford					
WMUB					
$120,536a/; $16,200c/					
1976 Delinquent					6.5 (Hamilton)
1975 Total Employees	35	14	3		
1974 Total Employees	31	12	2		
Toledo					
WGTE					
$130,337a/; $29,300c/					
1976 Delinquent					10.2 (Toledo)
1975 Total Employees	35	9	6		
1974 Total Employees	32	8	5		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Oklahoma					
Oklahoma City					
KETA14/					
$5,250a/					
1976 Higher Pay	23	1	3	13.0	12.9 (Oklahoma City)
1976 Lower Pay	6	5	0	0	
1976 Full Time Total	29	6	3	10.3	
1976 Total Employees	40	8	3	7.5	
1975 Total Employees	25	8	2		
1974 Total Employees	18	5	1		
KOKH					
$104,248a/; $17,70014/					
1976 Higher Pay	18	3	0	0	12.9 (Oklahoma City)
1976 Lower Pay	3	2	1	33.3	
1976 Full Time Total	21	5	1	4.7	
1976 Total Employees	21	5	1	4.8	
1975 Total Employees	29	10	3		
1974 Total Employees	32	10	7		
Tulsa					
KOED14/					
1976 Delinquent					13.7 (Tulsa)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Delinquent				

14/ Shares the one grant to Oklahoma ETV Authority, which received $101,525 for general station support and $17,700 to be used in the station program cooperative, also shared with KOKH in Oklahoma City.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Oklahoma					
Oklahoma ETV Authority Composite					
1976 Delinquent					11.1 B
1975 Total Employees	25	8	2		
1974 Total Employees	18	5	1		
Oregon					
Corvallis					
KOAC15/					
1976 Higher Pay	4	0	0	0	2.9 C
1976 Lower Pay	2	1	0	0	
1976 Full Time Total	6	1	0	0	
1976 Total Employees	21	5	0	0	
1975 Total Employees	20	5	0		
1974 Total Employees	17	3	0		
Portland					
KOAP16/					
1976 Higher Pay	16	1	0	0	4.7
1976 Lower Pay	5	3	0	0	(Portland)
1976 Full Time Total	21	4	0	0	
1976 Total Employees	50	16	0	0	
1975 Total Employees	52	17	0		
1974 Total Employees	37	10	1		

15/ Shares grant with Oregon Educational and Public Broadcasting Service, which received $139,914 for general station support; $29,500 for station program cooperative funds; $4,622 to be used for training internships, fellowships and workshops; $36,488 for public television (system) production.

16/ Ibid.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Pennsylvania					
Allentown/Bethlehem					
WLVT					
$204,814a/; $24,800c/					
1976 Higher Pay	23	3	1	4.3	3.5
1976 Lower Pay	1	1	0	0	(Allentown)
1976 Full Time Total	24	4	1	4.2	
1976 Total Employees	41	11	1	2.4	
1975 Total Employees	41	9	4		
1974 Total Employees	39	8	4		
Clearfield/University Park					
WPSX					
$192,508a/; $37,900c/; $13,300g/					
1976 Higher Pay	67	11	1	1.5	0.3 C
1976 Lower Pay	10	9	0	0	
1976 Full Time Total	77	20	1	1.3	
1976 Total Employees	100	27	3	3.0	
1975 Total Employees	103	28	9		
1974 Total Employees	87	20	4		
Erie					
WQLN					
$126,252a/; $14,300c/					
1976 Higher Pay	25	3	0	0	4.0
1976 Lower Pay	6	6	0	0	(Erie)
1976 Full Time Total	31	9	0	0	
1976 Total Employees	34	11	0	0	
1975 Total Employees	34	12	1		
1974 Total Employees	24	8	0		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Pennsylvania					
Hershey					
WITF					
$179,440a/; $330,144b/; $42,900c/					
1976 Delinquent					8.1 (Harrisburg)
1975 Total Employees	46	17	2		
1974 Total Employees	34	12	0		
Pittsburgh					
WQED					
$292,291a/; $59,000c/					
1976 Higher Pay	105	29	6	5.7	8.0 (Pittsburgh)
1976 Lower Pay	53	34	16	30.1	
1976 Full Time Total	158	63	22	13.9	
1976 Total Employees	180	74	24	13.3	
1975 Total Employees	184	63	19		
1974 Total Employees	152	44	18		
Scranton/Pittston					
WVIA					
$170,148a/; $24,200c/					
1976 Higher Pay	27	5	1	3.7	0.6 C
1976 Lower Pay	10	9	0	0	
1976 Full Time Total	37	14	1	2.7	
1976 Total Employees	41	15	1	2.4	
1975 Total Employees	33	10	2		
1974 Total Employees	38	13	1		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Rhode Island					
Providence					
WSBE					
$134,651a/; $28,100c/					
1976 Higher Pay	20	1	0	0	3.7 (Providence)
1976 Lower Pay	4	4	1	25.0	
1976 Full Time Total	24	5	1	4.1	
1976 Total Employees	54	16	4	7.4	
1975 Total Employees	53	13	2		
1974 Total Employees	49	13	2		
South Carolina					
Allendale					
WSBA17/					
1976 Delinquent					60.1 C
1975 Total Employees	2	0	0		
1974 Total Employees	3	0	0		
Beaufort					
WJWJ					
1976 Delinquent					33.8 C
1975 Total Employees	Fewer than 5 FT				

17/ Shares the one grant to South Carolina ETV Commission $379,554 for general station support; $55,200 for station program cooperative funds; and $7,930 for training internships, fellowships, and workshops.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
South Carolina					
Charleston					
WITV17/					
1976 Delinquent					33.4 (Charleston)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	6	0	1		
Columbia					
WRLK17/					
1976 Delinquent					28.0 (Columbia)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	5	0	2		
Florence					
WJPH17/					
1976 Delinquent					36.6 C
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	4	0	1		
Greenville					
WNTV17/					
1976 Delinquent					17.8 (Greenville-Spartanburg)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	6	0	1		

17/ Shares the one grant to South Carolina ETV Commission, $379,554 for general station support; $55,200 for station program cooperative funds; and $7,930 for training internships, fellowships, and workshops.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
South Carolina					
Sumter					
WRJA					
1976 Higher Pay	22	4	4	18.1	42.3 C
1976 Lower Pay	1	1	1	100	
1976 Full Time Total	22	5	5	22.7	
1976 Total Employees	30	5	5	16.6	
1975 Total Employees	7	0	1		
South Dakota					
Aberdeen					
KDSD18/					
1976 Delinquent					1.0 C
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Brookings					
KESD					
$81,610a/; $10,500c/					
1976 Higher Pay	10	1	0	0	0.6 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	11	2	0	0	
1976 Total Employees	24	7	1	4.2	
1975 Total Employees	24	6	1		
1974 Total Employees	23	6	0		

18/ Shares the one grant to South Dakota Network.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
South Dakota					
Pierre					
KTSD18/					
1976 Delinquent					5.3 C
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Rapid City					
KBHE18/					
1976 Delinquent					5.6 C
1975 Total Employees	7	1	0		
1974 Total Employees	5	1	0		
Vermillion					
KUSD					
$79,882a/; $26,000c/19/; $5,724e/; $13,000g/					
1976 Higher Pay	6	0	1	16.6	1.3 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	1	1	14.3	
1976 Total Employees	10	1	1	10	
1975 Total Employees	20	3	0		
1974 Total Employees	11	2	0		

18/ Shares the one grant to South Dakota Network.

19/ Grant shared with South Dakota Network.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
South Dakota					
South Dakota ETV Board					
$101,157					
1976 Delinquent					5.3 C
1975 Total Employees	7	1	0		
1974 Total Employees	5	1	0		
Tennessee					
Chattanooga					
WTIC					
$111,654a/; $23,300c/					
1976 Higher Pay	23	6	3	13.0	14.4
1976 Lower Pay	4	2	1	25.0	(Chattanooga)
1976 Full Time Total	27	8	4	14.8	
1976 Total Employees	27	8	4	14.8	
1975 Total Employees	27	9	4		
1974 Total Employees	27	9	4		
Knoxville					
WSJK					
$137,198a/; $29,800c/; $1,246e/					
1976 Higher Pay	39	3	4	10.3	7.4
1976 Lower Pay	9	8	0	0	(Knoxville)
1976 Full Time Total	48	11	4	8.3	
1976 Total Employees	53	14	4	7.5	
1975 Total Employees	66	22	5		
1974 Total Employees	58	19	5		

	Total Employees	Total Females	53 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Tennessee					
Memphis					
WKNO					
$117,113a/; $23,100c/					
1976 Higher Pay	27	6	4	14.8	38.7 (Memphis)
1976 Lower Pay	12	6	2	16.6	
1976 Full Time Total	39	12	6	15.4	
1976 Total Employees	52	17	14	26.9	
1975 Total Employees	55	20	14		
1974 Total Employees	48	18	9		
Nashville					
WDCN					
$134,706a/; $27,100c/					
1976 Higher Pay	35	9	3	8.5	18.7 (Nashville)
1976 Lower Pay	9	5	4	44.4	
1976 Full Time Total	44	14	7	15.9	
1976 Total Employees	46	14	9	19.6	
1975 Total Employees	46	14	9		
1974 Total Employees	45	14	9		
Texas					
Austin					
KLBH					
$200,842a/; $12,998b/; $41,800c/; $1,509e/					
1976 Higher Pay	109	32	24	22.0	25.6 (Austin)
1976 Lower Pay	38	27	10	26.3	
1976 Full Time Total	147	59	34	23.1	
1976 Total Employees	173	69	38	21.9	
1975 Total Employees	144	63	42		
1974 Total Employees	200	77	51		

	Total Employees	Total Females	54 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Texas					
College Station					
KAMU					
$73,107a/; $8,000c/					
1976 Higher Pay	16	0	4	25	24.8 (Bryan-College Station)
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	18	2	4	22.2	
[illegible] Employees	36	9	6	16.6	
1975 Total Employees	30	8	4		
1974 Total Employees	Delinquent				
Corpus Christi					
KEDT					
$93,903a/; $14,300c/					
1976 Delinquent					44.1 (Corpus Christi
1974 Total Employees	43	14	6 (Filed Nov. 14, 1975)		
Dallas					
KERA					
$249,876a/; $400b/; $47,300c/					
1976 Higher Pay	63	17	5	7.9	20.9 (Dallas-Ft. Worth)
1976 Lower Pay	17	15	3	17.6	
1976 Full Time Total	80	32	8	10	
1976 Total Employees	87	37	8	9.2	
1975 Total Employees	86	34	4		
1974 Total Employees	79	29	7		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Texas					
Houston					
KUHT					
$163,784a/; $37,600c/					
1976 Higher Pay	27	6	1	3.7	29.4
1976 Lower Pay	2	2	2	100	(Houston)
1976 Full Time Total	29	8	3	10.3	
1976 Total Employees	54	19	8	14.8	
1975 Total Employees	54	13	5		
1974 Total Employees	47	13	3		
Killeen					
KNCT					
$79,125a/; $8,600c/					
1976 Higher Pay	5	1	0	0	22.3
1976 Lower Pay	1	1	0	0	(Killeen-Temple)
1976 Full Time Total	6	2	0	0	
1976 Total Employees	17	4	1	5.9	
1975 Total Employees	20	5	1		
1974 Total Employees	14	3	1		
Lubbock					
KTXT					
$82,088a/; $9,400c/					
1976 Higher Pay	9	1	1	11.1	23.6
1976 Lower Pay	1	1	0	0	(Lubbock)
1976 Full Time Total	10	2	1	10	
1976 Total Employees	16	3	1	6.3	
1975 Total Employees	15	3	1		
1974 Total Employees	14	3	1		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Utah					
Provo					
KBYU					
$108,546a/; $12,500c/					
1976 Higher Pay	16	3	2	12.5	1.1 C
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	18	5	2	11.1	
1976 Total Employees	48	10	3	6.3	
1975 Total Employees	48	9	3		
1974 Total Employees	54	15	4		
Salt Lake City					
KUED					
$144,838a/; $15,000b/; $33,200c/; $2,975e/					
1976 Higher Pay	37	9	2	5.4	5.5
1976 Lower Pay	3	3	0	0	(Salt Lake-Ogden)
1976 Full Time Total	40	12	2	5	
1976 Total Employees	57	14	3	5.3	
1975 Total Employees	66	16	3		
1974 Total Employees	60	12	2		
Vermont					
Vermont ETV Composite Report 20/					
$125,547a/; $28,000c/					
1976 Higher Pay	25	2	0	0	0.4 S
1976 Lower Pay	9	7	0	0	
1976 Full Time Total	34	9	0	0	
1976 Total Employees	36	9	0	0	
1975 Total Employees	39	9	0		
1974 Total Employees	42	8	0		

20/ Includes WETK Burlington, WVER Rutland, WVTB St. Johnsbury, WVTA Windsor.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Virginia					
Annandale					
WHVT					
$169,557a/; $4,583e/					
1976 Higher Pay	20	4	2	10	4.2 C
1976 Lower Pay	6	5	1	16.6	27.8
1976 Full Time Total	26	9	3	11.5	(Washington)
1976 Total Employees	31	12	6	19.4	
1975 Total Employees	28	13	3		
1974 Total Employees	89	32	15		
Harrisonburg/Staunton					
WVPT					
$100,059a/; $13,200c/; $185e/					
1976 Higher Pay	35	8	5	14.3	2.4 C
1976 Lower Pay	9	8	2	22.2	
1976 Full Time Total	44	16	7	15.9	
1976 Total Employees	47	17	7	14.9	
1975 Total Employees	22	7	2		
1974 Total Employees	25	6	3		
Norfolk					
WHRO					
$130,358a/; $32,700c/					
1976 Higher Pay	37	10	3	8.1	27.4
1976 Lower Pay	11	8	3	27.2	(Norfolk)
1976 Full Time Total	48	18	6	12.5	
1976 Total Employees	51	20	6	11.7	
1975 Total Employees	48	18	6		
1974 Total Employees	37	10	7		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Virginia					
Richmond					
WCVE					
$149,939a/; $46,300c/					
1976 Delinquent					27.6 (Richmond)
1975 Total Employees	52	21	7		
1974 Total Employees	45	15	4		
Roanoke					
WBRA					
$116,607a/; $23,500c/					
1976 Higher Pay	23	5	1	4.3	11.5
1976 Lower Pay	12	8	3	25	(Roanoke)
1976 Full Time Total	35	13	4	11.4	
1976 Total Employees	41	15	4	9.8	
1975 Total Employees	43	17	3		
1974 Total Employees	46	17	4		
Washington					
Pullman					
KWSU					
$105,504a/; $16,000c/					
1976 Higher Pay	15	2	0	0	2.5 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	16	3	0	0	
1976 Total Employees	37	10	0	0	
1975 Total Employees	66	17	8		
1974 Total Employees	65	13	3		

	Total Employees	Total Females	59 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Washington					
Seattle					
KCTS					
$163,332a/; $34,100c/; $9,193e/					
1976 Higher Pay	36	8	3	8.3	7.2
1976 Lower Pay	7	5	4	57.1	(Seattle)
1976 Full Time Total	43	13	7	16.3	
1976 Total Employees	66	22	14	21.2	
1975 Total Employees	62	22	12		
1974 Total Employees	58	20	9		
Spokane					
KSPS					
$95,117a/; $1,700c/; $2,500e/					
1976 Higher Pay	27	8	4	14.8	3.2
1976 Lower Pay	3	3	2	66.6	(Spokane)
1976 Full Time Total	30	11	6	20	
1976 Total Employees	46	14	7	15.2	
1975 Total Employees	46	14	11		
1974 Total Employees	33	8	0		
Tacoma					
KPEC					
$112,368a/; $22,500c/					
1976 Delinquent					8.9 (Tacoma)
1975 Total Employees	35	12	0		
1974 Total Employees	31	11	0		

	Total Employees	Total Females	60 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Washington					
Tacoma					
KTPS					
$116,103a/; $14,800c/					
1976 Higher Pay	16	0	0	0	8.9
1976 Lower Pay	4	4	0	0	(Tacoma)
1976 Full Time Total	20	4	0	0	
1976 Total Employees	25	6	0	0	
1975 Total Employees	26	8	1		
1974 Total Employees	30	9	4		
Yakima					
KYVE					
$59,193a/; $7,700c/					
1976 Higher Pay	10	1	0	0	13.9
1976 Lower Pay	1	1	0	0	(Yakima)
1976 Full Time Total	11	2	0	0	
1976 Total Employees	14	2	0	0	
1975 Total Employees	12	3	0		
1974 Total Employees	9	2	1		
West Virginia					
Beckley					
WSWP					
$115,128a/; $16,900c/					
1976 Higher Pay	25	4	2	8.0	10.2 C
1976 Lower Pay	5	4	3	60.0	
1976 Full Time Total	30	10	5	16.6	
1976 Total Employees	32	10	6	18.7	
1975 Total Employees	27	8	4		
1974 Total Employees	27	6	3		

	Total Employees	Total Females	61 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
West Virginia					
Huntington					
WHUL					
$140,595a/; $23,300c/					
1976 Higher Pay	37	8	3	8.1	3.0
1976 Lower Pay	12	10	2	16.6	(Huntington)
1976 Full Time Total	49	18	5	10.2	
1976 Total Employees	54	19	6	11.1	
1975 Total Employees	53	17	4		
1974 Total Employees	53	18	4		
Morgantown					
WWVU					
$121,403a/; $23,000c/					
1976 Higher Pay	46	11	5	10.8	2.3 C
1976 Lower Pay	10	9	1	10.0	
1976 Full Time Total	56	20	6	10.7	
1976 Total Employees	58	20	6	10.3	
1975 Total Employees	62	22	5		
1974 Total Employees	57	18	4		
Wisconsin					
Madison					
WPNE					
$410,078a/; $43,500c/21/					
1976 Delinquent					2.7
					(Green Bay)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

21/ Shares grant with Wisconsin Educational Communications Board.

	Total Employees	Total Females	62 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Wisconsin					
Madison					
WHA					
$203,040a/; $32,802b/; $42,800c/; $80,739g/					
1976 Higher Pay	49	9	2	4.0	3.3
1976 Lower Pay	9	9	0	0	(Madison)
1976 Full Time Total	58	18	2	3.4	
1976 Total Employees	99	33	3	3.0	
1975 Total Employees	108	38	3		
1974 Total Employees	92	29	2		
Milwaukee					
WMVS					
$198,898a/					
1976 Higher Pay	64	12	8	12.5	10.7
1976 Lower Pay	7	6	1	14.3	(Milwaukee)
1976 Full Time Total	71	18	9	12.7	
1976 Total Employees	102	26	10	9.8	
1975 Total Employees	91	20	14		
1974 Total Employees	90	21	13		

APPENDIX B

Minority Employment Performances of the 185 Individual U.S. Noncommercial Television and 16 Statewide ETV Grantees

Grantees Reporting:	Individual Stations	Networks	Total	Percent of Total
Greater percentage of minority employment than minority representation in service area	42	1	43	21.4
Lesser percentage of minority employment than minority representation in service area	58	2	60	29.9
Same percentage of minority employment as in service area	7	0	7	3.5
Zero minority employees full time	30	1	31	15.4
Fewer than 5 full time employees	1	0	1	0.5
Delinquent	47	11	58	28.8
Info not offered	0	1	1	0.5
TOTALS	185	16	201	100.0

APPENDIX C

Minority Employment Performances of 185 Noncommercial Television Station Grantees Excluding 16 Statewide Composite Reports

Stations Reporting:	Number of Stations	Percent of Total
Greater percentage of minority employment on a 1976 total staff basis than minority representation in service area	42	22.7
Lesser percentage of minoirty employment on a 1976 total staff basis than minority representation in service area	58	31.4
Same percentage of minority employment as in service area	7	3.8
Zero minority employees full time	30	16.2
Fewer than 5 full time employees	1	0.5
Delinquent	47	25.4
TOTALS	185	100

APPENDIX D

Minority Employment Performances of 16 Noncommercial State ETV Network Grantees

Networks Reporting:	States	Number of Networks	Percent of Total
Greater Percentage of minority employment than minority representation in state	Ia.	1	6.25
Lesser percentage of minority employment than minority representation in state	Ga., N.C.	2	12.5
Zero minority employees full time	Vt.	1	6.25
Info not offered or delinquent	Ala., Conn., Hi., Ky., Me., Md., Miss., Neb., N.H., N.J., Okla., S.D.	12	75.0
TOTALS		16	100

APPENDIX E

Public Television Licensees With No Full Time Minority Employees, June 30, 1976

KEET: Eureka, Ca.
KIXE: Redding, Ca.
WCES: Augusta, Ga.
WDCO: Cochran, Ga.
KAID: Boise, Idaho
KUID: Moscow, Idaho
KBGL: Pocatello, Idaho
WSIU: Carbondale, Ill.
WTVP: Peoria, Ill.
WTIU: Bloomington, Ind.
WNIN: Evansville, Ind.
WIPB: Muncie, Ind.
WCAE: St. John, Ind.
XTWU: Topeka, Kan.
WKPC: Louisville, Ky.
WCBB: Augusta, Me.
WWPB: Hagerstown, Md.
WCPB: Salisbury, Md.
WDSE: Duluth, Minn.
WOUB: Athens, O.
WBGU: Bowling Green, O.
WGSF: Newark, O.
KOAC: Corvallis, Ore.
KOAP: Portland, Ore.
WQLN: Erie, Pa.
KESD: Brookings, S.D.
KNCT: Killeen, Tx.
Vermont ETV
KWSU: Pullman, Wa.
KTPS: Tacoma, Wa.
KYVE: Yakima, Wa.

APPENDIX F

Television Stations and State ETV Network Grantees Delinquent in Filing 1976 FCC Form 395 (Annual Employment Report)

KUAC: Fairbanks, Alaska
KOCE: Huntington Beach, Cal.
KVST: Los Angeles, Cal.
Connecticut ETV Corporation
WJCT: Jacksonville, Fla.
WETV: Atlanta, Ga.
WCLP: Chatsworth, Ga.
WACS: Dawson, Ga.2/
WXGA: Waycross, Ga.2/
Hawaii Public Broadcasting Authority
WVUT: Vincennes, Ind.
Kentucky Authority for ETV
WMEG: Biddeford, Me.
WMED: Calais, Me.
WMEB: Orono, Me.
WMEM: Presque Isle, Me.
Maine Network
Maryland Public Broadcasting Commission
WGVC: Grand Rapids, Mich.
WNPB: Marquette, Mich.
WCMU: Mt. Pleasant, Mich.
KWCM: Appleton, Minn.
KAVT: Austin, Minn.
Mississippi Authority for ETV
KTNE: Alliance, Neb.
KMNE: Bassett, Neb.
KHNE: Hastings, Neb.
KLNE: Lexington, Neb.
KRNE: Merriman, Neb.
KXNE: Norfolk, Neb.
KPNE: North Platte, Neb.
KYNE: Omaha, Neb.
Nebraska ETV Network
New Hampshire Network
New Jersey Network
WSKG: Binghampton, N.Y.
WNET: NYC, N.Y.
WNYC: NYC, N.Y.
WNYE: NYC, N.Y.
WMUB: Oxford, Ohio
WGTE: Toledo, Ohio
KOED: Tulsa, Okla.1/
Oklahoma ETV Authority
WITF: Hershey, Pa.
WEBA: Allendale, S.C.
WJWJ: Beaufort, S.C.
WITV: Charleston, S.C.
WRLK: Columbia, S.C.
WJPM: Florence, S.C.
WNTU: Greenville, S.C.
KDSD: Aberdeen, S.D.
KTSD: Pierre, S.D.
KBHE: Rapid City, S.D.
South Dakota ETV Authority
KEDT: Corpus Christi, Tx.
WCVE: Richmond, Va.
KPEC: Tacoma, Wash.
WPNE: Madison, Wisc.

1/ Delinquent status also within past three years.

2/ Delinquent plus history of no minority employees in service area with at least 5% minority population.

APPENDIX G

Noncommercial Television Station and Statewide ETV Network Grantees Reporting Fewer Than 5 Full Time Employees

Alabama ETV Commission1/
KEET: Eureka, Cal.

1/ Includes WBIQ Birmingham, WCIQ Cheah State Park, WIIQ Dozier, WFIQ Florence, WHIQ Huntsville, WGIQ Louisville, WEIQ Mobile, WAIQ Montgomery.

APPENDIX H

Listing of Statewide Public Television Licensee Grantees and the Stations for Which They Are Responsible. 1/

1. Alabama ETV Commission -- 9 out of 9 in the state:
   WBIQ Birmingham, WIIQ Demopolis, WDIQ Dozier, WFIQ Florence, WHIQ Huntsville, WGIQ Louisville, WEIQ Mobile, WAIQ Montgomery, WCIQ Mount Cheah

2. Arizona Board of Regents -- 2 out of 2 in the state:
   KAET Tempe/Phoenix, KUAT Tucson

3. Connecticut Public Television -- 3 out of 3 in the state:
   WEDW Bridgeport, WEDH Hartford, WEDY New Haven

4. Georgia State Board of Education -- 8 out of 10 in the state:
   WCLP Chatsworth, WDCO Cochran, WJSP Columbus, WACS Dawson, WABW Pelham, WVAN Savannah, WXGA Waycross, WCES Wrens

5. Hawaii Public Broadcasting Authority -- 2 out of 2 in the state:
   KHET Honolulu, KMEB Wailuku

6. Iowa State Educational Radio and Television Facility -- 6 out of 6 in the state:
   KDIN Council Bluffs, KDIN Des Moines, KIIN Iowa City, KHIN Red Oak, KSIN Sioux City, KRIN Waterloo

7. Kentucky State Board of Education -- 13 out of 14 in the state:
   WKAS Ashland, WKGB Bowling Green, WCVN Covington, WKZT Elizabethtown, WKHA Hazard, WKLE Lexington, WKMJ Louisville, WKMA Madisonville, WKMR Morehead, WKMU Murray, WKON Owenton, WKPI Pikesville, WKSO Somerset

8. Louisiana ETV Authority -- 1 out of 2 in the state:
   WLPB Baton Rouge

9. University of Maine -- 4 out of 5 in the state:
   WMEG Biddeford, WMED Calais, WMEB Orono, WMEM Presque Isle

10. Maryland Public Broadcasting Commission -- 4 out of 4 in the state:
    WAPB Annapolis, WMPB Baltimore, WWPB Hagerstown, WCPB Salisbury

1/ 1976 NAEB Directory of Public Telecommunications; 1975 CPB Annual Report.

11. WGBH Educational Foundation -- 3 out of 3 in teh state:
    WGBH Boston, WGBX Boston, WGBY Springfield

12. Mississippi Authority for ETV -- 8 out of 8 in the state:
    WMAB Ackerman, WMAO Booneville, WMAU Bude, WMAO Inverness, WMAA Jackson, WMAH McHenry, WMAV Oxford, WMAW Rose Hill

13. Nebraska ETV Commission - 7 out of 9 in the state:
    KTNE Alliance, KHNE Bassett, KHNE Hastings, KLNE Lexington, KRNE Merriman, KXNE Norfolk, KPNE North Platte, KYNE Omaha

14. University of New Hampshire/New Hampshire Network -- 5 out of 5 in the state:
    WEDB Berlin, WENH Durham, WHED Hanover, WEKW Keene, WLED Littleton

15. New Jersey Public Broadcasting -- 4 out of 4 in the state:
    WNJS Camden, WNJM Montclair, WNJB New Brunswick, WNJT Trenton

16. University of North Carolina -- 8 out of 9 in the state:
    WUNF Ashville, WUNC Chapel Hill, WUHG Concord, WUND Columbia, WUNK Greenville, WUNE Linville, WUNJ Wilmington, WUNL Winston-Salem

17. North Dakota Educational Broadcasting Council -- 2 out of 2 in the state:
    KFME Fargo, KGPE Grand Forks

18. Oklahoma ETV Authority -- 2 out of 3 in the state:
    KETA Oklahoma City, KOED Tulsa

19. Oregon State Board of Higher Education -- 2 out of 2 in the state:
    KOAC Corvallis, KOAP Portland

20. South Carolina ETV Commission -- 7 out of 7 in the state:
    WEBA Allendale/Barmwell, WJWJ Beaufort, WITV Vharleston, WRLK Columbia, WJPM Florence, WNTV Greenville/Spartanville, WRJA Sumter

21. University of Vermont -- 4 out of 4 in the state:
    WETK Burlington, WVWER Rutland, WVTB St. Johnsbury, WVTA Windsor

22. West Virginia Educational Broadcasting Authority -- 2 out of 3 in the state:
    WSWP Grandview, WMUL Huntington

APPENDIX I

MINORITY EMPLOYMENT REPORT FOR U.S. NONCOMMERCIAL RADIO STATION GRANTEES

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Alabama					
Birmingham					
(U. of Alabama)					
$25,000a/					
Alaska					
Bethel					
KYUK-AM					
$18,700a/; $12,125b/1/					
1976 Full Time Total	Fewer than 5 Full Time Employees				
1975 Total Employees	11	4	8		
1974 Total Employees	12	5	10		

KEY: Higher Pay - includes officials and managers, professionals, technicians, and skilled craftsmen.
Lower Pay - includes office and clerical workers, operatives, laborers, and service workers.
S - state population figures used, 1970 Census.
C - county population figures used, 1970 Census.
a/ general support
b/ training internships, fellowships, and workshops.
c/ production and distribution for public radio system.

*/ Service area for a station is either the standard metropolitan statistical area (SMSA) of the city of license, or if there is no SMSA, the county in which the city of license is located. For a state network the service area is the entire state.

1/ Grant shared with KYUK-FM.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Alaska					
Fairbanks					
KUAC-FM					
$22,850a/					
1976 Higher Pay	7	3	1	14.3	10.8 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	8	4	1	12.5	
1976 Total Employees	9	5	1	11.1	
1975 Total Employees	14	6	1		
1974 Total Employees	14	6	0		
Kotzebue					
KOTZ-AM					
$18,700a/; $7,700b/					88.0 C
1976 Delinquent					
1975 Total Employees	11	8	8		
1974 Total Employees	7	4	3		
Arizona					
Phoenix					
KMCR-FM					
$38,700a/; $3,914b/					17.2 (Phoenix)
1976 Full Time Total	Fewer than 5 Full Time Employees				
1975 Total Employees	10	3	2		
1974 Total Employees	10	4	3		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Arizona					
Tucson					
KUAT-AM-FM					
$38,700a/(AM only)					
1976 Higher Pay	12	2	2	16.6	24.7
1976 Lower Pay	0	0	0	0	(Tucson)
1976 Full Time Total	12	2	2	16.6	
1976 Total Employees*	23	4	5	21.7	
1975 Total Employees	13	3	3		
1974 Total Employees	12	3	1		
Tucson					
KUAT-FM					
$18,700a/					
1976 Delinquent					24.7 (Tucson)
1975 Total Employees	(went on air after 1975 employment information required)				
Yuma					
KAWC-AM					
$18,700a/					
1976 Higher Pay	5	2	1	16.6	35.0 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	2	1	16.6	
1976 Total Employees	6	2	1	16.6	
1975 Total Employees	5	1	0		
1974 Total Employees	Fewer than 5 FT				

*totals reflect addition of KUAT-FM which began service mid-1976.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Arkansas					
Jonesboro					
KASU-FM					
$18,700a/					
1976 Higher Pay	7	1	0	0	3.3 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	7	1	0	0	
1976 Total Employees	12	1	0	0	
1975 Total Employees	14	1	1		
1974 Total Employees	Fewer than 5 FT				
California					
Berkeley					
KPFA-FM					
$36,876a/; $4,500b/2/					
1976 Higher Pay	10	1	2	20	25.0
1976 Lower Pay	2	1	0	0	(San Francisco-
1976 Full Time Total	12	2	2	16.6	Oakland)
1976 Total Employees	31	15	9	29.0	
1975 Total Employees	27	13	5		
1974 Total Employees	28	12	4		
Long Beach					
KLON-FM					
$18,700a/					
1976 Full Time Total	Fewer than 5 FT				29.8 (Los Angeles)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

2/ Grant shared with KPFB-FM.

	Total Employees	Total Females	75 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
California					
Los Angeles					
KUSC-FM					
$18,700a/; $7,530					
1976 Delinquent					29.8 (Los Angeles)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
North Hollywood					
KPFK-FM					
$38,700a/					
1976 Higher Pay	14	4	2	14.3	29.8 (Los Angeles)
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	15	5	2	13.3	
1976 Total Employees	22	9	3	13.6	
1975 Total Employees	23	8	3		
1974 Total Employees	28	10	4		
Northridge					
KCSN-FM					
$18,700a/					
1976 Full Time Total	Fewer than 5 FT				29.8 (Los Angeles)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

	Total Employees	Total Females	76 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
California					
Pasadena					
KPCS-FM					
$25,000a/					
1976 Delinquent					29.8 (Los Angeles
1974 Total Employees	0	1	1		
San Bernardino					
KVCR-FM					
$12,100a/					
1976 Higher Pay	6	0	0	0	20.0 (Riverside-San Bernardi
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	0	0	0	
1976 Total Employees	13	0	2	15.4	
1975 Total Employees	14	0	3		
1974 Total Employees	Fewer than 5 FT				
San Diego					
KPBS-FM					
$38,700a/					
1976 Higher Pay	10	2	1	10	16.9 (San Diego)
1976 Lower Pay	1	1	1	100	
1976 Full Time Total	11	3	2	18.2	
1976 Total Employees	19	5	3	15.8	
1975 Total Employees	16	2	1		
1974 Total Employees	16	1	1		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
California					
San Francisco					
KALW-FM					
$18,700a/					
1976 Higher Pay	5	1	1	20	25.0
1976 Lower Pay	0	0	0	0	(San Francisco-Oakland)
1976 Full Time Total	5	1	1	20	
1976 Total Employees	16	3	1	6.3	
1975 Total Employees	9	2	2		
1974 Total Employees	8	2	2		
KQED-FM					
$43,700a/					
1976 Higher Pay	5	0	1	20	25.0
1976 Lower Pay	1	0	0	0	(San Francisco-Oakland)
1976 Full Time Total	6	0	1	16.6	
1976 Total Employees	9	2	2	22.2	
1975 Total Employees	8	3	1		
1974 Total Employees	6	2	2		
San Mateo					
KCSM-FM					
$12,100a/					
1976 Full Time Total	Fewer than 5 FT				25.0
					(San Francisco-Oakland)
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
California					
Santa Monica					
KCRW-FM					
$22,700a/					
1976 Higher Pay	5	1	1	20.0	29.8
1976 Lower Pay	0	0	0	0	(Los Angeles
1976 Full Time Total	5	1	1	20.0	
1976 Total Employees	8	1	2	25	
1975 Total Employees	6	1	2		
1974 Total Employees	Fewer than 5 FT				
Santa Rosa					
KBBF-FM					
$38,700a/					
1976 Delinquent					7.5
					(Santa Rosa
1975 Total Employees	8	2	5		
1974 Total Employees	7	2	5		
Stockton					
KUOP-FM					
$38,700a/					
1976 Higher Pay	6	1	0	0	26.0
1976 Lower Pay	0	0	0	0	(Stockton)
1976 Full Time Total	6	1	0	0	
1976 Total Employees	29	8	2	6.9	
1975 Total Employees	29	4	4		
1974 Total Employees	Delinquent				

	Total Employees	Total Females	79 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Colorado					
Denver					
KCFR-FM					
$46,200a/					
1976 Higher Pay	6	2	0	0	13.8
1976 Lower Pay	0	0	0	0	(Denver)
1976 Full Time Total	6	2	0	0	
1976 Total Employees	10	4	0	0	
1975 Total Employees	7	1	0		
1974 Total Employees	Fewer than 5 FT				
Greeley					
KUNC-FM					
$18,700a/					
1976 Higher Pay	5	1	0	0	1.8 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	1	0	0	
1976 Total Employees	18	3	3	16.6	
1975 Total Employees	16	5	0		
1974 Total Employees	13	2	0		
District of Columbia					
Washington					
WAMU-FM					
$43,680a/					
1976 Higher Pay	9	3	0	0	27.8
1976 Lower Pay	2	1	0	0	(Washington)
1976 Full Time Total	11	4	0	0	
1976 Total Employees	30	9	3	10	
1975 Total Employees	26	7	3		
1974 Total Employees	31	7	2		

	Total Employees	Total Females	80 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
District of Columbia					
Washington					
WETA-FM					
$38,700a/					
1976 Higher Pay	9	2	1	11.1	27.8
1976 Lower Pay	0	0	0	0	(Washington)
1976 Full Time Total	9	2	1	11.1	
1976 Total Employees	13	2	3	23.0	
1975 Total Employees	14	2	2		
1974 Total Employees	14	2	3		
Florida					
Boynton Beach/West Palm Beach					
WHRS-FM					
$18,700a/					
1976 Higher Pay	8	1	2	25	22.0
1976 Lower Pay	2	2	0	0	(West Palm B
1976 Full Time Total	10	3	2	20	
1976 Total Employees	16	4	4	25	
1975 Total Employees	15	2	4		
1974 Total Employees	12	2	2		
Jacksonville					
WJCT-FM					
$38,700a/					
1976 Higher Pay	12	4	0	0	23.8
1976 Lower Pay	4	3	2	50	(Jacksonvill
1976 Full Time Total	16	7	2	12.5	
1976 Total Employees	24	8	2	8.3	
1975 Total Employees	17	2	0		
1974 Total Employees	18	3	0		

	Total Employees	Total Females	81 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Florida					
Miami					
WLRN-FM					
$26,200a/					
1976 Higher Pay	5	0	2	40	38.9
1976 Lower Pay	1	1	1	100	(Miami)
1976 Full Time Total	5	1	3	50	
1976 Total Employees	10	1	4	40	
1975 Total Employees	Delinquent				
1974 Total Employees	5	1	2		
Tallahassee					
WFSU-FM					
$18,700a/					
1976 Higher Pay	8	2	2	25	27.4
1976 Lower Pay	0	0	0	0	(Tallahassee)
1976 Full Time Total	8	2	2	25	
1976 Total Employees	31	14	6	19.4	
1975 Total Employees	20	4	3		
1974 Total Employees	26	8	2		
Tampa					
WUSF-FM					
$18,700a/					
1976 Higher Pay	9	4	0	0	15.0
1976 Lower Pay	1	1	0	0	(Tampa-
1976 Full Time Total	10	5	0	0	St. Petersburg)
1976 Total Employees	28	10	1	3.6	
1975 Total Employees	25	9	4		
1974 Total Employees	13	4	4		

	Total Employees	Total Females	82 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Georgia					
Atlanta					
WABE-FM					
$38,700a/					
1976 Higher Pay	9	2	0	0	23.2
1976 Lower Pay	2	2	1	50	(Atlanta)
1976 Full Time Total	11	4	1	9.1	
1976 Total Employees	13	4	3	23.1	
1975 Total Employees	12	3	2		
1974 Total Employees	11	4	1		
Hawaii Public Broadcasting Authority					
Honolulu					
KTUH-FM					
$25,000a/					
1976 Full Time Total	Fewer than 5 FT				
Illinois					
Carbondale					
WSIU-FM					
$18,700a/					
1976 Higher Pay	5	1	1	20	8.0 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	1	1	20	
1976 Total Employees	14	3	2	14.3	
1975 Total Employees	11	3	1		
1974 Total Employees	17	2	0		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Illinois					
Chicago					
WBEE-FM					
$18,700a/					
1976 Higher Pay	18	4	3	16.6	24.6
1976 Lower Pay	6	6	1	16.6	(Chicago)
1976 Full Time Total	24	10	4	16.6	
1976 Total Employees	48	15	10	20.1	
1975 Total Employees	47	15	15		
1974 Total Employees	45	15	12		
DeKalb					
WNIU-DM					
$18,700a/					1.8 C
1976 Higher Pay	6	2	0	0	
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	3	0	0	
1976 Total Employees	18	7	1	5.5	
1975 Total Employees	22	7	1		
1974 Total Employees	22	5	2		
Edwardsville					
WSIE-FM					
$18,700a/					17.5
1976 Higher Pay	4	0	0	0	(St. Louis)
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	5	1	0	0	
1976 Total Employees	21	7	0		
1975 Total Employees	7	2	0		
1975 Total Employees	Fewer than 5 FT				

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Illinois					
Peoria					
WCLO-FM					
$18,700a/					7.0
1976 Higher Pay	6	1	1	16.6	(Peoria
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	1	1	16.6	
1976 Total Employees	12	2	2	16.6	
1975 Total Employees	11	3	0		
1974 Total Employees	Fewer than 5 FT				
Springfield					
WSSR-FM					
$43,700a/					7.0
1976 Higher Pay	6	0	0	0	(Springfield)
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	8	2	0	0	
1976 Total Employees	27	10	2	7.4	
1975 Total Employees	20	6	2		
Urbana					
WILL-AM-FM					
$18,700a/3/; $38,700a/4/					10.1
1976 Higher Pay	16	5	0	0	(Champaign-Urba
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	18	7	0	0	
1976 Total Employees	47	13	3	6.4	
1975 Total Employees	42	11	0		
1974 Total Employees	26	8	1		

3/ Grant to WILL-AM only.

4/ Grant to WILL-FM only.

	Total Employees	Total Females	85 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Indiana					
Bloomington					
WFIU-FM					
$18,700a/					
1976 Higher Pay	8	3	0	0	2.8 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	8	3	0	0	
1976 Total Employees	28	9	0	0	
1975 Total Employees	27	7	0		
1974 Total Employees	30	11	0		
Indianapolis					
WIAN-FM					
$18,700a/					
1976 Higher Pay	5	2	0	0	15.2
1976 Lower Pay	0	0	0	0	(Indianapolis)
1976 Full Time Total	5	2	0	0	
1976 Total Employees	22	10	0	0	
1975 Total Employees	17	8	0		
1974 Total Employees	18	5	0		
Lafayette					
WBAA-AM					
$18,700a/					
1976 Higher Pay	12	3	0	0	3.2
1976 Lower Pay	2	2	0	0	(Lafayette)
1976 Full Time Total	14	5	0	0	
1976 Total Employees	35	6	1	2.9	
1975 Total Employees	32	7	1		
1974 Total Employees	30	5	0		

	Total Employees	Total Females	86 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Indiana					
Vincennes					
WVUB-FM					
$12,100a/					
1976 Information not processed by FCC					
1975 Full Time Total	Fewer than 5 FT				1.0 C
1974 Total Employees	Fewer than 5 FT				
Iowa					
Ames					
WOI-AM-FM					
$37,400a/5/					
1976 Higher Pay	20	4	0	0	1.6 C
1976 Lower Pay	4	4	0	0	
1976 Full Time Total	24	8	0	0	
1976 Total Employees	35	10	1	2.9	
1975 Total Employees	35	14	0		
1974 Total Employees	34	12	1		
Cedar Falls					
KUNI-FM					
$41,200a/					
1976 Higher Pay	8	3	1	12.5	7.4
1976 Lower Pay	1	1	0	0	(Waterloo-Cedar Fall
1976 Full Time Total	9	4	1	11.1	
1976 Total Employees	20	8	3	15	
1975 Total Employees	12	4	1		
1974 Total Employees	23	5	1		

5/ AM and FM each received $18,700.

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Iowa					
Cedar Falls					
KHKE-FM					
$21,200a/					
1976 Higher Pay	3	0	0	0	7.4
1976 Lower Pay	1	1	0	0	(Waterloo-Cedar Falls)
1976 Full Time Total	4	1	0	0	
1976 Total Employees	9	2	0	0	
1975 Total Employees	11	3	1		
Cedar Rapids					
KCCK-FM					
$18,700a/					
1976 Higher Pay	8	1	0	0	2.1
1976 Lower Pay	1	1	0	0	(Cedar Rapids)
1976 Full Time Total	9	2	0	0	
1976 Total Employees	9	2	0	0	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Iowa City					
WSUI-AM*					
$23,700a/					
1976 Higher Pay	12	1	0	0	1.7 C
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	14	3	0	0	
1976 Total Employees	34	6	0	0	
1975 Total Employees	35	5	0		
1974 Total Employees	32	4	0		

*combined report with that of KSUI-FM which did not receive a grant

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Kansas					
Lawrence					
KANU-FM					
$18,700a/					
1976 Full Time Total	Fewer than 5 FTE				7.0 C
1975 Total Employees	27	6	1		
1974 Total Employees	25	6	4		
Manhattan					
KSAC-AM					
$18,700a/					
1976 Higher Pay	9	1	0	0	8.4 C
1976 Lower Pay	3	3	0	0	
1976 Full Time Total	12	4	0	0	
1976 Total Employees	17	5	0	0	
1975 Total Employees	14	3	0		
1974 Total Employees	15	5	0		
Wichita					
KMUW-FM					
$18,700a/					
1976 Higher Pay	5	2	0	0	11.4
1976 Lower Pay	0	0	0	0	(Wichita)
1976 Full Time Total	5	2	0	0	
1976 Total Employees	27	8	4	14.8	
1975 Total Employees	6	3	1		
1974 Total Employees	Fewer than 5 FT				

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Kentucky					
Lexington					
WBKY-FM					
$18,700a/					
1976 Higher Pay	4	0	0	0	12.5
1976 Lower Pay	1	1	0	0	(Lexington)
1976 Full Time Total	5	1	0	0	
1976 Total Employees	13	1	0	0	
1975 Total Employees	13	3	1		
1974 Total Employees	29	11	1		
Louisville					
WFPL-FM/WFPK-FM					
$37,400a/6/					
1976 Higher Pay	13	3	1	7.7	14.0
1976 Lower Pay	2	1	0	0	(Louisville)
1976 Full Time Total	15	4	1	6.6	
1976 Total Employees	17	5	1	5.9	
1975 Total Employees	42	12	2		
1974 Total Employees	44	13	1		
Morehead					
WMKY-FM					
1976 Higher Pay	6	1	0	0	1.3 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	2	0	0	
1976 Total Employees	27	6	2	7.4	
1975 Total Employees	19	7	0		
1974 Total Employees	26	7	0		

6/ Ibid.

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Kentucky					
Murray					
WKMS-FM					
$12,100a/					
1976 Full Time Total	Fewer than 5 FT				3.2 C
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	18	6	2		
Louisiana					
New Orleans					
WWNO-FM					
$38,700a/					
1976 Higher Pay	5	0	2	40	35.1
1976 Lower Pay	1	0	0	0	(New Orleans)
1976 Full Time Total	6	0	2	33.3	
1976 Total Employees	15	4	6	40	
1975 Total Employees	19	6	7		
1974 Total Employees	14	3	3		
Maine					
Bangor					
WMEH-FM					
1976 Higher Pay	5	1	0	0	1.0 C
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	7	3	0	0	
1976 Total Employees	11	3	1	9.1	
1975 Total Employees	12	3	0		
1974 Total Employees	11	2	0		

	Total Employees	Total Females	91 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Maine					
Orono					
Maine Public Broadcasting Network					
$19,500a/					
Portland					
WMEA-FM					
$18,700a/					
1976 Delinquent					0.9 C
1975 Total Employees	6	1	0		
1974 Total Employees	5	0	0		
Maryland					
Baltimore					
WBJC-FM					
$18,700a/; $1,950b/					
1976 Higher Pay	7	1	2	28.6	25.2
1976 Lower Pay	1	1	1	100.0	(Baltimore)
1976 Full Time Total	8	2	3	37.5	
1976 Total Employees	12	3	4	33.3	
1975 Total Employees	13	4	3		
1974 Total Employees	11	3	2		
Takoma Park					
WGTS-FM					
$18,700a/					
1976 Higher Pay	5	2	0	0	27.8
1976 Lower Pay	0	0	0	0	(Washington)
1976 Full Time Total	5	2	0	0	
1976 Total Employees	20	9	2	10	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

	Total Employees	Total Females	92 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Massachusetts					
Amherst					
WFCR-FM					
$18,700a/; $10,00b/					
1976 Delinquent					1.4
1975 Total Employees	28	10	7		
1974 Total Employees	23	4	8		
Boston					
WBUR-FM					
$40,640a/					
1976 Higher Pay	11	2	0	0	7.2
1976 Lower Pay	2	2	0	0	(Boston)
1976 Full Time Total	13	4	0	0	
1976 Total Employees	25	6	3	12	
1975 Total Employees	25	4	3		
1974 Total Employees	23	5	3		
Boston					
WGBH-FM					
$38,700a/; $3,135b/					
1976 Higher Pay	15	2	4	26.6	7.2
1976 Lower Pay	2	2	0	0	(Boston)
1976 Full Time Total	17	4	4	23.5	
1976 Total Employees	22	6	4	18.1	
1975 Total Employees	20	4	3		
1974 Total Employees	18	4	3		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Michigan					
Ann Arbor					
WUOM-FM					
$38,700a/					
1976 Higher Pay	16	3	0	0	10.4
1976 Lower Pay	2	0	1	50	(Ann Arbor)
1976 Full Time Total	18	3	1	5.6	
1976 Total Employees	39	8	1	2.6	
1975 Total Employees	34	8	1		
1974 Total Employees	32	7	1		
Burrien Springs					
WAUS-FM					
$18,700c/					
1976 Delinquent					11.6 C
1975 Total Employees	19	5	3		
1974 Total Employees	25	8	2		
Detroit					
WDET-FM					
$18,700a/; $8,399b/					
1976 Higher Pay	7	1	1	14.3	19.4
1976 Lower Pay	1	1	0	0	(Detroit)
1976 Full Time Total	8	2	1	12.5	
1976 Total Employees	23	7	8	34.8	
1975 Total Employees	25	7	9		
1974 Total Employees	29	10	7		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Michigan					
East Lansing					
WKAR-AM-FM					
$38,700a/7/; $18,700b/8/					
1976 Higher Pay	27	6	3	11.1	6.9
1976 Lower Pay	1	1	0	0	(Lansing)
1976 Full Time Total	28	7	3	10.7	
1976 Total Employees	42	11	6	14.3	
1975 Total Employees	49	11	5		
1974 Total Employees	41	9	4		
Flint					
WFBE-FM					
$18,700a/					
1976 Higher Pay	6	3	0	0	14.0
1976 Lower Pay	1	1	0	0	(Flint)
1976 Full Time Total	7	4	0	0	
1976 Total Employees	12	5	0	0	
1975 Total Employees	11	4	0		
1974 Total Employees	12	4	0		
Houghton					
WGGL-FM					
$18,700a/					
1976 Higher Pay	6	1	0	0	0.6 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	2	0	0	
1976 Total Employees	23	4	0	0	
1975 Total Employees	17	3	0		
1974 Total Employees	16	3	1		

7/ Grant to WKAR-AM only.

8/ Grant to WKAR-FM only.

	Total Employees	Total Females	95 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Michigan					
Interlochen					
WIAA-FM					
$18,700a/					
1976 Higher Pay	8	0	0	0	1.1 C
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	10	2	0	0	
1976 Total Employees	11	3	0	0	
1975 Total Employees	9	2	0		
1974 Total Employees	9	1	0		
Kalamazoo					
WMUK-FM					
$38,700a/					
1976 Higher Pay	7	0	0	0	7.5
1976 Lower Pay	1	1	0	0	(Kalamazoo)
1976 Full Time Total	8	1	0	0	
1976 Total Employees	20	4	0	0	
1975 Total Employees	20	6	0		
1974 Total Employees	16	4	0		
Marquette					
WNMR-FM					
$34,076a/					
1976 Delinquent					2.4 C
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

	Total Employees	Total Females	96 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Michigan					
Mount Pleasant					
WCMU-FM					
$34,220a/					
1976 Higher Pay	7	1	0	0	2.2 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	7	1	0	0	
1976 Total Employees	17	3	0	0	
1975 Total Employees	16	2	0		
1974 Total Employees	14	1	0		
Minnesota					
Pipestone					
KRSW-FM					
$18,700a/					
1976 Information not processed by FCC					0.4 C
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
St. Paul					
WSCD-FM					
$18,700a/					
1976 Delinquent					
1975 (on air after 1975 FCC-395 reporting requirement)					

	Total Employees	Total Females	97 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Minnesota					
Collegeville					
KSJR-FM					
$18,700a/					
1976 Higher Pay	8	0	0	0	0.7
1976 Lower Pay	1	1	0	0	(St. Cloud)
1976 Full Time Total	9	1	0	0	
1976 Total Employees	9	1	0	0	
1975 Total Employees	9	1	0		
1974 Total Employees	11	1	0		
Minneapolis					
KSJN-FM					
$43,700a/; $5,592b/; $175,00c/					
1976 Higher Pay	27	7	3	11.1	4.0
1976 Lower Pay	5	4	0	0	(Minneapolis)
1976 Full Time Total	32	11	3	9.4	
1976 Total Employees	44	14	3	6.8	
1975 Total Employees	31	12	2		
1974 Total Employees	29	8	3		
Minneapolis					
KUOM-AM					
$18,700a/					
1976 Higher Pay	13	3	2	15.4	4.0
1976 Lower Pay	2	2	0	0	(Minneapolis)
1976 Full Time Total	15	5	2	13.3	
1976 Total Employees	24	5	2	8.3	
1975 Total Employees	25	7	4		
1974 Total Employees	24	8	4		

	Total Employees	Total Females	98 Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Minnesota					
Moorhead/St. Paul					
KCCM-FM					
$18,700a/					
1976 Higher Pay	5	2	0	0	0.9
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	2	0	0	
1976 Total Employees	7	2	0	0	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Northfield					
WCAL-FM					
$18,700a/					
1976 Higher Pay	6	0	0	0	0.5 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	0	0	0	
1976 Total Employees	28	7	0		
1975 Total Employees	27	6	0		
1974 Total Employees	26	4	0		
Mississippi					
Senatobia					
WNJC-FM					
$18,700a/					
1976 Higher Pay	6	2	1	16.6	47.3 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	2	1	16.6	
1976 Total Employees	6	2	1	16.6	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Missouri					
Buffalo					
KBFL-FM					
$18,700a/					
1976 Higher Pay	5	2	0	0	0.4 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	2	0	0	
1976 Total Employees	9	6	0	0	
1975 Total Employees	8	3	1		
1974 Total Employees	5	3	0		
Columbia					
KBIA-FM					
$18,700a/					
1976 Higher Pay	9	2	0	0	7.3 (Columbia)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	9	2	0	0	
1976 Total Employees	32	12	2	6.3	
1975 Total Employees	34	10	3		
1974 Total Employees	20	5	1		
Jefferson City					
KLUM-FM					
$18,700a/					
1976 Higher Pay	6	2	3	50.0	6.9 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	2	3	50.0	
1976 Total Employees	8	3	5	62.5	
1975 Total Employees	5	1	3		
1974 Total Employees	Fewer than 5 FT				

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Missouri					
Kansas City					
KCUR-FM					
$18,700a/					
1976 Higher Pay	9	2	0	0	14.7 (Kansas City)
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	10	3	0	0	
1976 Total Employees	31	8	4	12.9	
1975 Total Employees	29	10	2		
1974 Total Employees	25	7	2		
Maryville					
KXCV-FM					
$18,700a/					
1976 Higher Pay	5	1	0	0	0.5 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	6	2	0	0	
1976 Total Employees	36	11	3	8.3	
1975 Total Employees	32	9	1		
1974 Total Employees	35	12	1		
Point Lookout					
KSOZ-FM					
$18,700a/					
1976 Higher Pay	6	1	0	0	0.5 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	1	0	0	
1976 Total Employees	23	5	0	0	
1975 Total Employees	21	6	0		
1974 Total Employees	15	5	0		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Missouri					
Rolla					
KMUR-FM					
$18,700a/					
1976 Higher Pay	8	1	0	0	2.0 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	9	2	0	0	
1976 Total Employees	16	3	0	0	
1975 Total Employees	19	5	0		
1974 Total Employees	16	5	0		
St. Louis					
KWMU-FM					
$18,700a/					
1976 Higher Pay	8	3	0	0	17.5
1976 Lower Pay	1	1	1	100.0	(St. Louis)
1976 Full Time Total	9	4	1	11.1	
1976 Total Employees	16	5	2	12.5	
1975 Total Employees	14	4	0		
1974 Total Employees	18	5	0		
Warrensburg					
KCMW-FM					
$18,700a/					
1976 Higher Pay	6	0	0	0	4.8 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	1	0	0	
1976 Total Employees	16	2	1	6.3	
1975 Total Employees	19	1	1		
1974 Total Employees	21	2	0		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Montana					
Missoula					
KUFM-FM					
$18,700a/					
1976 Higher Pay	5	0	0	0	1.6 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	0	0	0	
1976 Total Employees	14	1	0	0	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Nebraska					
Lincoln					
Nebraska Educational TV Commission (for Radio)					
$18,700a/					
Omaha					
KIOS-FM					
$18,700a/					
1976 Higher Pay	4	2	1	25.0	9.5
1976 Lower Pay	1	1	0	0	(Omaha)
1976 Full Time Total	5	3	1	20.0	
1976 Total Employees	13	5	2	15.4	
1975 Total Employees	13	5	2		
1974 Total Employees	Fewer than 5 FT				

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
New York					
Schenectady					
WMHT-FM					
$32,620a/					
1976 Higher Pay	5	1	0	0	2.6 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	6	2	0	0	
1976 Total Employees	13	4	0	0	
1975 Total Employees	10	3	0	0	
1974 Total Employees	12	3	0	0	
Syracuse					
WCNY-FM					
$23,550a/					
1976 Higher Pay	5	3	0	0	5.4
1976 Lower Pay	0	0	0	0	(Syracuse)
1976 Full Time Total	5	3	0	0	
1976 Total Employees	5	3	0	0	
1975 Total Employees	8	2	0		
1974 Total Employees	7	2	0		
North Carolina					
Chapel Hill					
WUNC					
18,700a/					
1976 Higher Pay	6	2	0	0	C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	3	0	0	
1976 Total Employees	16	4	3	18.8	
1975 Full Time Total	Fewer than 5 FT				
1974 Full Time Total	Fewer than 5 FT				

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
North Carolina					
Durham					
WAFR-FM					
$3,850b/					
1976 Full Time Total	Fewer than 5 FT				
Winston-Salem					
WFDD-FM					
$12,100a/					
1976 Full Time Total	Fewer than 5 FT				19.5
1975 Full Time Total	Fewer than 5 FT				(Greensboro-
1974 Total Employees	Fewer than 5 FT				Winston-Salem)
North Dakota					
Fargo					
KDSU-FM					
$18,700a/					
1976 Higher Pay	6	4	0	0	0.9
1976 Lower Pay	0	0	0	0	(Fargo-Moorhead)
1976 Full Time Total	6	4	0	0	
1976 Total Employees	10	4	1	5	
1975 Total Employees	10	2	1		
1974 Total Employees	Fewer than 5 FT				
Grand Forks					
KFJM-AM					
$18,700					
1976 Delinquent					2.7 C
1975 Full Time Total	Fewer than 5 FT				
1974 Total Employees	Delinquent				

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
New York					
Endwell					
WSKG-FM					
$43,700					
1976 Information not processed by FCC					
New York					
WNYC-AM-FM					
$37,400a/9/					
1976 Higher Pay	54	7	11	20.4	40.7
1976 Lower Pay	7	5	5	71.4	(New York)
1976 Full Time Total	61	12	16	26.2	
1976 Total Employees	61	12	16	26.2	
1975 Total Employees	66	13	17		
1974 Total Employees	88	13	22		

9/ AM and FM each received $18,700.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
New York					
New York					
WBAI-FM					
$38,700a/					
1976 Higher Pay	17	5	2	11.8	40.7
1976 Lower Pay	0	0	0	0	(New York)
1976 Full Time Total	17	5	2	11.8	
1976 Total Employees	21	6	3	14.3	
1975 Total Employees	30	11	6		
1974 Total Employees	30	10	4		
Oswego					
WRVO-FM					
$18,700a/					
1976 Higher Pay	5	0	0	0	0.5 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	0	0	0	
1976 Total Employees	23	5	0	0	
1975 Full Time Total	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Rochester					
WXXI-FM					
$35,700a/					
1976 Higher Pay	5	1	1	20.0	8.7
1976 Lower Pay	1	1	0	0	(Rochester)
1976 Full Time Total	6	2	1	16.6	
1976 Total Employees	14	4	1	7.1	
1975 Total Employees	13	4	0		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Ohio					
Athens					
WOUB-AM-FM					
$37,400a/ 9/					
1976 Higher Pay	19	2	0	0	3.1 C
1976 Lower Pay	5	5	0	0	
1976 Full Time Total*/	24	7	0	0	
1976 Total Employees	69	35	10	14.5	
1975 Total Employees	66	20	5		
1974 Total Employees	67	17	5		
Cincinnati					
WGUC-FM					
$18,700a/					
$175,000c/					
1976 Higher Pay	16	5	1	4.3	12.3
1976 Lower Pay	3	3	0	0	(Cincinnati)
1976 Full Time Total	19	8	1	5.3	
1976 Total Employees	42	13	3	7.1	
1975 Total Employees	37	11	4		
1974 Total Employees	23	8	4		

9/ Ibid

*/ These figures also represent full time employees who also have television responsibilities.

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Ohio					
Columbus					
WCBE-FM					
$18,700a/					
1976 Higher Pay	5	0	1	20.0	12.5
1976 Lower Pay	2	2	0	0	(Columbus)
1976 Full Time Total	7	2	1	14.3	
1976 Total Employees	10	2	1	10.0	
1975 Total Employees	9	2	1		
1974 Total Employees	9	2	0		
Columbus					
WOSU-AM-FM					
$37,400a/ 10/					
$199,700c/					
(both AM & FM receive grants)					
1976 Higher Pay	10	7	0	0	12.5
1976 Lower Pay	3	3	0	0	(Columbus)
1976 Full Time Total	13	10	0	0	
1976 Total Employees	42	15		2.4	
1975 Total Employees	42	10			
1974 Total Employees	42	10	2		

10/ Ibid.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Ohio					
Kent					
WKSU-FM					
$18,700a/					
1976 Higher Pay	4	0	0	0	
1976 Lower Pay	1	1	0	0	9.2
1976 Full Time Total	5	1	0	0	(Akron)
1976 Total Employees	6	1	0	0	
1975 Total Employees	5	2	0	0	
1974 Total Employees	Fewer than 5 FT				
Oxford					
WMUB-FM					
$18,700a/					
1976 Higher Pay	6	0	0	0	
1976 Lower Pay	1	1	0	0	6.5
1976 Full Time Total	7	1	0	0	(Hamilton)
1976 Total Employees	27	7	0	0	
1975 Total Employees	19	6	0		
1974 Total Employees	18	2	0	0	
Toledo					
WGTE					
$25,000	Station on air 1976 after reporting period requirement.				10.2 (Toledo)

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Ohio					
Wilberforce					
WCSU-FM					
$18,700a/					
1976 Higher Pay	7	3	3	42.9	
1976 Lower Pay	1	1	1	100.0	12.5
1976 Full Time Total	8	4	4	50.0	(Dayton)
1976 Total Employees	8	4	4	50.0	
1975 Total Employees	8	4	4		
1974 Total Employees	Delinquent				
Yellow Springs					
WYSO-FM					
$33,000a/					
1976 Higher Pay	6	3	0	0	
1976 Lower Pay	0	0	0	0	12.5
1975 Full Time Total	6	3	0	0	(Dayton)
1976 Total Employees	8	3	1	12.5	
1975 Total Employees	7	2	0		
1974 Total Employees	5	2	0		
Youngstown					
WYSU-FM					
$18,700a/					
1976 Higher Pay	5	*2	1	20.0	
1976 Lower Pay	1	0	0	0	11.6
1976 Full Time Total	6	2	1	20.0	(Youngstown)
1976 Total Employees	16	9	2	12.5	
1975 Total Employees	25	9	2		
1974 Total Employees	Fewer than 5 FT				

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Oklahoma					
Stillwater					
KOSU-FM					
$18,700a/					
1976 Full Time Total	Fewer than 5 FT				4.6 C
1975 Full Time Total	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Oregon					
Corvallis					
KOAC-AM					
$18,700a/					
1976 Higher Pay	6	2	0	0	2.9 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	3	0	0	
1976 Total Employees	26	6	0	0	
1975 Total Employees	25	5	1		
1974 Total Employees	24	5	0		
Eugene					
KLCC-FM					
$18,700a/					
1976 Full Time Total	Delinquent				2.2 (Eugene)
1975 Full Time Total	Delinquent				
1974 Total Employees	10	1	2		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Oregon					
Eugene					
KWAX-FM					
$18,700a/					
1976 Higher Pay	5	1	0	0	2.2 (Euguene)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	1	0	0	
1976 Total Employees	19	2	0	0	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	21	7	2		
Portland					
KBOO-FM					
$18,700a/					
1976 Higher Pay	6	3	0	0	4.7 (Portland)
1976 Lower Pay	0	0	0	0	
1975 Full Time Total	6	3	0	0	
1976 Total Employees	6	3	0	0	
1975 Total Employees	6	2	0	0	
1974 Total Employees	Fewer than 5 FT				
Portland					
KBPS-AM					
$18,700a/					
1976 Higher Pay	7	3	0	0	4.7 (Portland)
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	9	5	0	0	
1976 Total Employees	15	7	2	13.3	
1975 Total Employees	13	6	0		
1974 Total Employees	12	5	0		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Oregon					
Portland					
KOAP-FM					
$18,700a/					
1976 Higher Pay	5	1	1	20.0	4.7
1976 Lower Pay	0	0	0	0	(Portland)
1976 Full Time Total	5	1	1	20.0	
1976 Total Employees	21	6	1	4.7	
1975 Total Employees	21	7	1		
1974 Total Employees	11	2	1		
Pennsylvania					
Erie					
WQLN-FM					
$18,700a/					
1976 Higher Pay	5	0	0	0	4.0
1976 Lower Pay	1	1	0	0	(Erie)
1976 Full Time Total	6	1	0	0	
1976 Total Employees	10	2	0	0	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	11	3	1		
Hershey					
WITF-FM					
$18,700a/					
1976 Delinquent					8.1
1975 Total Employees	7	1	0		(Harrisburg)
1974 Total Employees	9	3	0		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Pennsylvania					
Philadelphia					
WUHY-FM					
$38,700a/					
1976 Higher Pay	9	2	0	0	20.6
1976 Lower Pay	1	1	1	100.0	(Philadelphia)
1976 Full Time Total	10	3	1	10.0	
1976 Total Employees	10	2	1	10.0	
1975 Total Employees	12	4	2		
1974 Total Employees	8	2	1		
Pittsburgh					
WDUQ-FM					
$18,700a/					
1976 Higher Pay	5	0	1	20.0	8.0
1976 Lower Pay	1	1	0	0	(Pittsburgh)
1976 Full Time Total	6	1	1	16.6	
1976 Total Employees	8	1	1	12.5	
1975 Total Employees	8	1	1		
1974 Total Employees	8	1	1		
Pittsburgh					
WQED-FM					
$38,650a/					
1976 Higher Pay	6	1	0	0	8.0
1976 Lower Pay	1	0	0	0	(Pittsburgh)
1976 Full Time Total	7	1	0	0	
1976 Total Employees	10	3	0		
1975 Total Employees	10	2	1		
1974 Total Employees	7	1	1		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Pennsylvania					
Pittsburgh					
WYEP-FM					
$17,100a/					
1976 Full Time Total	Fewer than 5 FT				8.0
1975 Full Time Total	Fewer than 5 FT				(Pittsburgh)
1974 Total Employees	Fewer than 5 FT				
Pittston					
WVIA-FM					
1976 Higher Pay	6	1	0	0	
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	2	0	0	
1976 Total Employees	12	3	0	0	
South Carolina					
Charleston					
WSCI-FM					
$18,700a/					
1976 Higher Pay	5	2	1	20.0	33.4
1976 Lower Pay	0	0	0	0	(Charleston)
1976 Full Time Total	5	2	1	20.0	
1976 Total Employees	6	2	1	16.7	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	2	2	1		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Pennsylvania					
Greenville					
WEPR-FM					
$18,700a/					
1976 Higher Pay	5	2	0	0	17.8
1976 Lower Pay	0	0	0	0	(Greenville-
1976 Full Time Total	5	2	0	0	Spartanburg)
1976 Total Employees	11	3	2	18.2	
1975 Total Employees	5	1	1		
1974 Total Employees	3	0	0		
South Dakota					
Brookings					
KESD-FM					
$18,700a/					
1976 Delinquent					0.6 C
1975 Full Time Total	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Vermillion					
KUSD-AM*					
$18,700a/					
1976 Higher Pay	6	0	1	16.6	1.3 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	1	1	0	
1976 Total Employees	10	1	1	10.0	
1975 Total Employees	8	1	0		
1974 Total Employees	6	0	0		

*Combined with report of KUSD-FM which did not receive a grant.

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Tennessee					
Collegedale					
WSMC-FM					
$18,700a/					
1976 Higher Pay	5	1	0	0	10.4 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	1	0	0	
1976 Total Employees	25	5	0		
1975 Total Employees	21	4	0		
1974 Total Employees	24	5	0		
Johnson City					
WETS-FM					
$18,700a/					
1976 Higher Pay	6	1	0	0	2.5 (Kingsport-Bristol)
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	7	2	0	0	
1976 Total Employees	12	5	0		
1975 Total Employees	10	4	1		
1974 Total Employees	8	4	1		
Knoxville					
WNOT-FM					
$18,700a/					
1976 Higher Pay	8	1	1	12.5	7.4 (Knoxville)
1976 Lower Pay	2	2	0	0	
1976 Full Time Total	10	3	1	10.0	
1976 Total Employees	22	3	2	9.9	
1975 Total Employees	27	7	2		
1974 Total Employees	22	7	1		

	Total Employees	Total Minorities	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Tennessee				
Memphis				
WKNO-FM				
$18,700a/				
1976 Higher Pay	5	1	0	0	38.7 Memphis)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	1	0	0	
1976 Total Employees	6	2	1	16.6	
1975 Total Employees	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				
Murfreesboro					
WMOT-FM					
$18,700a/ $3,750b/					
1976 Higher Pay	7	1	1	14.8	12.2 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	8	2	1	12.5	
1976 Total Employees	14	4	1	7.1	
1975 Total Employees	16	3	2		
1974 Total Employees	17	3	2		
Nashville					
WPLN-FM					
$18,700a/					
1976 Delinquent					
1975 Total Employees	26	14	6		
1974 Total Employees	21	10	5		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
a					
atin					
T-FM					
8,700a/ $3,593b/					
1976 Delinquent					
1975 Total Employees	66	25	13		25.6 (Austin)
1974 Total Employees	60	21	9		
aumont					
LU-FM					
8,700a/					
1976 Higher Pay	6	0	2	33.3	24.2 (Beaumont)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	0	2	33.3	
1976 Total Employees	9	1	4	44.4	
1975 Total Employees	Fewer than 5 FT				
mmerce					
TR-FM					
8,700a/					
1976 Higher Pay	5	1	0	0	13.7 C
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	1	0	0	
1976 Total Employees	10	1	0		
1975 Total Employees	6	1	0		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Texas					
Dallas					
XERA-FM					
$43,700a/					
1976 Info not processed by FCC					
1975 Total Employees	12	1	0		20.9 (Dallas-Ft. Worth)
El Paso					
KTEP-FM					
$18,700a/					
1976 Higher Pay	5	1	1	20.0	54.7 (El Paso)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	1	1	20.0	
1976 Total Employees	6	1	1	16.6	
1975 Total Employees	8	1	1		
1974 Total Employees	7	1	3		
Houston					
KPRT-FM					
$18,700a/ $1,650b/					
1976 Higher Pay	5	0	0	0	29.4 (Houston)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	0	0	0	
1976 Total Employees	5	0	0	0	
1975 Total Employees	6	0	0		
1974 Total Employees	19	5	1		

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Texas					
Killeen					
KNCT-FM					
$18,700a/					
1976 Higher Pay	5	1	0	0	22.3 (Killeen-Temple)
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	6	2	0	0	
1976 Total Employees	17	4	1	5.9	
1975 Total Employees	20	5	2		
1974 Total Employees	14	3	1		
San Antonio					
San Antonio Community Radio Corp.					
$25,000					
Utah					
Logan					
KUSU-FM					
$31,893a/					1.5 C
1976 Higher Pay	6	1	0	0	
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	1	0	0	
1976 Total Employees	20	6	1	5.0	
1975 Total Employees	16	4	0		
1974 Total Employees	Fewer than 5 FT				

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Utah					
Provo					
KBYU-FM					1.1 C
$18,700a/					
1976 Higher Pay	8	7	0	0	
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	8	7	0	0	
1976 Total Employees	23	8	2	8.7	
1975 Total Employees	20	7	1		
1974 Total Employees	14	3	0		
Salt Lake City					
KUER-FM					
$18,700a/					5.5 (Salt Lake City)
1976 Higher Pay	5	1	0	0	
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	5	1	0	0	
1976 Total Employees	5	1	0		
1975 Total Employees	4	1	0		
1974 Total Employees	5	1			
Virginia					
Norfolk					
WTGM-FM					27.4 (Norfolk)
$18,700a/					
1976 Full Time Total	Fewer than 5 FT				
1975 Full Time Total	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Virginia					
Richmond					
WRFK-FM					
$18,700a/					
1976 Delinquent					
1975 Full Time total	Fewer than 5 FT				27.6 (Richmond)
1974 Total Employees	Fewer than 5 FT				
Roanoke					
WVWR-FM					
$18,700a/					
1976 Higher Pay	7	3	1	14.3	11.5 (Roanoke)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	7	3	k	14.3	
1976 Total Employees	17	5	2	11.8	
1975 Total Employees	7	4	2		
1974 Total Employees	Fewer than 5 FT				
Washington					
Pullman					
KWSU-AM					
$18,700a/					
1976 Higher Pay	7	1	0	0	2.5 C
1976 Lower Pay	1	1	0	0	
1976 Full Time Total	8	2	0	0	
1976 Total Employees	36	[illegible]	0	0	
1975 Total Employees	33	10	3		
1974 Total Employees	52	9	1		

	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Washington					
Seattle					
KUOW-FM					
$38,700a/					
$ 5,884b/					
1976 Higher Pay	6	2	0	0	7.2 (Seattle)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	6	2	0	0	
1976 Total Employees	16	2	4	25.0	
1975 Total Employees	14	2	3		
1974 Total Employees	15	3	4		
Tacoma					
KTOY-FM					
$18,700a/					
1976 Higher Pay	8	2	2	25.0	8.9 (Tacoma)
1976 Lower Pay	0	0	0	0	
1976 Full Time Total	8	2	2	25.0	
1976 Total Employees	8	2	2	25.0	
1975 Total Employees	13	4	7		
1974 Total Employees	10	2	4		
West Virginia					
Beckley					
WVPB-FM					
$11,550a/					
1976 Full Time Total	Fewer than 5 FT				10.2 C
1975 Full Time Total	Fewer than 5 FT				
1974 Total Employees	Fewer than 5 FT				

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
West Virginia					
Buckhannon					
WVWC-FM					
$18,700a/					
1976 Delinquent					0.5 C
1975 Total Employees	13	5	0		
1974 Total Employees	11	1	1		
Wisconsin					
LaCrosse					
WLSU-FM					
$18,700a/					
1976 Higher Pay	5	1	0	0	1.0
1976 Lower Pay	0	0	0	0	(LaCrosse)
1976 Full Time Total	5	0	0	0	
1976 Total Employees	23	2	2	8.7	
1975 Total Employees	17	5	1		
1974 Total Employees	20	3	2		
Madison					
WERN-FM					
$18,700a/					
$ 2,824b/					
1976 Full Time Total	Fewer than 5 FT				3.3
1975 Full Time Total	Fewer than 5 FT				Madison)
1974 Total Employees	Fewer than 5 FT				

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	Total Employees	Total Females	Total Minority Employees (Including Females)	Minority Employees as Percent of Total Employees	Minority Group Percentage in Service Area
Wisconsin					
Madison					
WHA-AM					
$38,700a/					
$400,193b/					
1976 Higher Pay	31	9	0	0	3.3
1976 Lower Pay	4	3	0	0	(Madison)
1976 Full Time Total	35	12	0	0	
1976 Total Employees	56	21	7	12.5	
1975 Total Employees	59	21	9		
1974 Total Employees	49	25	4		
Milwaukee					
WUWM-FM					
$38,700a/					
1976 Higher Pay	6	3	1	16.6	10.7
1976 Lower Pay	1	1	0	0	(Milwaukee)
1976 Full Time Total	7	4	1	14.3	
1976 Total Employees	28	8	1	3.6	
1975 Total Employees	27	4	1		
1974 Total Employees	Fewer than 5 FT				

APPENDIX J

Minority Employment Performances of 172 Noncommercial Radio Station and Agency Grantees

Stations Reporting:	#	% of Total
Greater percentage of minority employment on a total staff basis than minority representation in the service area.	25	14.5
Lesser percentage of minority employment on a total staff basis than minority representation in the service area.	27	15.7
Same percentage of minority employment on a total staff basis than minority representation in the service area.	3	1.7
Zero minority employees on a full-time basis	73	42.4
Fewer than 5 full time employees	16	9.3
Delinquent	17	10.0
Info not available	10*	5.8
No 1976 reporting requirement	1**	0.6
	172	100.0

* includes six agency grantees not required to fulfill FCC Form 395 requirements.

** WGTE-FM Toledo, Ohio.

APPENDIX K

Public Radio Licensees With No Full-Time Minority Employees, March 3, 1976.

KASU-FM: Jonesboro, Ark.*
KVCR-FM: San Bernadino, Cal.
KUOP-FM: Stockton, Cal.
KCFR-FM: Denver, Colo.
KUNC-FM: Greeley, Colo.*
WAMU-FM: Washington, D.C.
WUSF-FM: Rampa, Fla.
WNIU-FM: DeKalb, Ill.*
WSIE-FM: Edwardsville, Ill.
WSSR-FM: Springfield, Ill.
WILL-A/F: Urbana, Ill.
WFIU-FM: Bloomington, Ind.*
WIAN-FM: Indianapolis, Ind.
WBAA-FM: Lafayette, Ind.*
WOI-A/F: Ames, Ia.*
KHKE-FM: Cedar Falls, Ia.*
WSIU-FM: Iowa City, Ia.*
KSAC-FM: Manhattan, Kan.
KMUW-FM: Wichita, Kan.
WBKY-FM: Lexington, Ky.
WMKY-FM: Morehead, Ky.*
WMEH-FM: Bangor, Me.*
WGTS-FM: Tacoma Park, Md.
WBUR-FM: Boston, Mass.
WFBE-FM: Flint, Mich.
WGGL-FM: Houghton, Mich.*
WIAA-FM: Interlochen, Mich.*
WMUK-FM: Kalamazoo, Mich.
WCMU-FM: Mt. Pleasant, Mich.*
KSJR-FM: Collegeville, Minn.
KCCM-FM: Morehead, Minn.*
WCAL-FM: Northfield, Minn.*
KBFL-FM: Buffalo, Mo.*
KBIA-FM: Columbia, Mo.
KCUR-FM: Kansas City, Mo.
KXCV-FM: Maryville, Mo.*
KSOZ-FM: Point Lookout, Mo.*
KMUR-FM: Rolla, Mo.*
KCMW-FM: Warrensburg, Mo.
KUFM-FM: Missoula, Mont.*
WAMC-FM: Albany, N.Y.*
WBFO-FM: Buffalo, N.Y.
WRVO-FM: Oswego, N.Y.
WMHT-FM: Schenectady, N.Y.
WCNY-FM: Syracuse, N.Y.
WUNC-FM: Chapel Hill, N.C.
KDSU-FM: Fargo, N.D.*
WOUB-A/F: Athens, O.*
WOSU-A/F: Columbus, O.
WKSU-FM: Kent, O.
WMUB-FM: Oxford, O.
WYSO-FM: Yellow Springs, O.
KOAC-FM: Corvallis, Ore.
KWAX-FM: Eugene, Ore.*
KBOO-FM: Portland, Ore.*
KBPS-FM: Portland, Ore.*
WQLN-FM: Erie, Pa.
WQED-FM: Pittsburgh, Pa.
WEPR-FM: Greenville, S.C.
WSMC-FM: Collegedale, Tenn.
WETS-FM: Johnson City, Tenn.*
WKNO-FM: Memphis, Tenn.
KETR-FM: Commerce, Tx.
KPFT-FM: Houston, Tx.
KNCT-FM: Killeen, Tx.
KUSU-FM: Logan, Utah*
KBYU-FM: Provo, Utah*
KUER-FM: Salt Lake City, Utah
KWSU-FM: Pullman, Wash.*
KUOW-FM: Seattle, Wash.
WHA-AM: Madison, Wisc.*
WLSU-FM: La Crossw, Wisc.*

*less than 5% minority service area.

APPENDIX L

CPB Grantee Radio Stations Representing to FCC Fewer Than 5 Full Time Employees on 1976 Form 395

KYUK-AM: Bethel, Aka.
KMCR-FM: Pheonix, Ariz.
KLON-FM: Long Beach, Cal.
KCSN-FM: Northridge, Cal.
KCSM-FM: San MAteo, Cal.
KTUH-FM: Honolulu, Hi.
KANU-FM: Lawrence, Kan.
WKMS-FM: Murray, Ky.
WSLU-FM: Canton, N.Y.
WAFR-FM: Durham, N.C.
WFDD-FM: Winston-Salem, N.C.
KOSU-FM: Stillwater, Okla.
WYEP-FM: Pittsburgh, Pa.
WTGM-FM: Norfolk, Va.
WVPB-FM: Beckley, W. Va.
WERN-FM: Madison, Wisc.

APPENDIX M

CPB Radio Station Grantees Who Are Delinquent in Filing FCC Form 395 (Annual Employment Report).

KOTZ-AM: Kotzebue, Ala.
KUAT-FM: Tucson, Ariz.
KUSC-FM: Los Angeles, Cal.
KPCS-FM: Pasadena, Cal.
KBBF-FM: Santa Rosa, Cal.
KMEA-FM: Portland, Ore.
WFCR-FM: Amherst, Mass.
WAUS-FM: Berrien Springs, Mich.
WNMR-FM: Marquette, Mich.
KFJM-FM: Grand Forks, N.D.
KLCC-FM: Eugene, Ore.
WITF-FM: Hershey, Pa.
KESD-FM: Brookings, S.D.
WPLN-FM: Nashville, Tenn.
KUT-FM: Austin, Tx.
WRFK-FM: Richmond, Va.
WVWC-FM: Buckhannon, W. Va.

APPENDIX N

Noncommercial Radio Station and Agency Grantees For Which No Employment Information Is Available.

University of Alabama (at Birmingham)
Conencticut ETV Corporation (for Radio)
WVUB-FM: Vincennes, Indiana
Maine Public Broadcasting Network
KRSW-FM: Pipestone, Minnesota
Nebraska ETV Commission (for Radio)
Albuquerque Public Broadcasting Corporation
WSKG-FM: Endwell, New York
KERA-FM: Dallas, Texas
San Antonio Community Radio Corporation

APPENDIX O

Overview of Minority Employment Performances of 373 Noncommercial Radio, Television, and Agency CPB Grantees.

Stations & Agencies Reporting:	#	% of Total
Greater percentage of minority employment on a total staff basis than minority representation in the service area.	68	18.2
Lesser percentage of minoirty employment on a total staff basis than minority representation in the service area.	87	23.3
Same percentage of minority employment on a total staff basis than minority representation in the service area.	10	2.7
Zero minority employees full time	104	27.9
Fewer than 5 full-time employees	17	4.6
Delinquent	75	20.1
Info not available	11	2.9
No 1976 reporting requirement	1	0.3
TOTAL	373	100.0

APPENDIX P

CPB Public Broadcasting Grantees Receiving Other Federal Funding

I. National Endowment for the Arts, FY '74: 1/

KPFK-FM:	Hollywood, Cal.	$ 8,330.00
KQED-TV:	San Francisco, Cal.	10,000.00
WTTW-TV:	Chicago, Ill.	15,000.00
KCET-TV:	Los Angeles, Cal.	27,500.00
WNET-TV:	New York, N.Y.	73,750.00

II. National Endowment for the Humanities, FY '75: 2/

WGBH Education Foundation: Boston, Mass.	$119,000.00
Mississippi Authority for ETV: Jackson, Miss.	30,000.00

III. DHEW, OE, Emergency School Aid Act, FY '76: 3/

KLRN-TV: Austin, Tx.	$4,794,809.00
Connecticut PTV	500,000.00
KWSU-TV: Pullman, Wash.	40,000.00
WGBH-TV: Boston, Mass.	2,042,271.00
WTTW-TV: Chicago, Ill.	1,772,791.00
KSPS-TV: Spokane, Wash.	242,099.00
Maine Pub. Brdcastg.	249,402.00
WNET-TV: New York, N.Y.	1,800,000.00
WPBT-TV: Miami, Fla.	250,000.00

IV. DHEW, Educational Broadcasting Facilities Program, FY '76: 4/

KUHF-FM: Houston, Tx.	$ 78,162.00
KAMU-FM: College Sta., Tx.	69,016.00
KPFT-FM: Houston, Tx.	79,753.00
W.Va. Broadcasting Auth.	202,500.00
WUWM-FM: Milwaukee, Wisc.	73,875.00
KUAC-TV: Fairbanks, Aka.	105,177.00
KAET-TV: Tempe, Ariz.	91,007.00
KPBS-TV: San Diego, Cal.	141,259.00
KQED-TV: San Francisco, Cal.	73,552.00

(continued on next page)

1/ Press release, "New Public Media Grants Announced," April 17, 1974. (Most recent info available.)

2/ National Endowment for the Humanities, Tenth Annual Report.

3/ Duplicated listing directly from the office of Mr. David Berkman, Director, ESSA Programs.

4/ Duplicated listing from Office of Education, Division of Educational Technology.

		$
KIXE-TV:	Redding, Cal.	175,200.00
KVIE-TV:	Sacramento, Cal.	180,000.00
WEDW/WEDX-TV:	Middlefield, Conn.	298,823.00
WETA-TV:	Washington, D.C.	500,000.00
WJCT-TV:	Jacksonville, Fla.	198,200.00
WMFE-TV:	Orlando, Fla.	161,669.00
KHET-TV:	Honolulu, Hi.	163,862.00
KBGI-TV:	Pocatello, Id.	234.423.00
WTTW-TV:	Chicago, ILL.	300,000.00
WILL-TV:	Urbana, Ill.	125,000.00
KSIN-TV:	Sioux City, Ia.	100,040.00
WKAS-TV:	Ashland, Ky.	250,000.00
Louisiana ETV Authority		469,380.00
WCBB-TV:	Augusta, Me.	32,325.00
WGBY-TV:	Springfield, Mass.	300,000.00
WGVC-TV:	Allendale, Mich.	275,000.00
KOZK-TV:	Springfield, Mo.	183,451.00
KRWG-TV:	Las Cruces, N.M.	215,000.00
KENW-TV:	Portales, N.M.	215,000.00
WCNY-TV:	Syracuse, N.Y.	296,101.00
WSKG-TV:	Binghamton, N.Y.	293,462.00
WCET-TV:	Cincinnati, O.	300,000.00
WVIA-TV:	Scranton, Pa.	300,000.00
WITF-TV:	Hershey, Pa.	473,852.00
WDCN-TV:	Nashville, Tenn.	218,000.00
KERA-TV:	Dallas, Tx.	110,000.00
WBRA-TV:	Roanoke, Va.	300,000.00
WHRO-TV:	Norfolk, Va.	165,000.00
KYVE-TV:	Yakima, Wash.	347,737.00

APPENDIX Q

Office for Civil Rights
Department of Health, Education,
and Welfare
Washington, D.C. 20201

EDUCATIONAL TELEVISION AND RADIO
(Draft)
Guidelines for Compliance
With Civil Rights Laws

These Guidelines are designed to assist recipients of Federal financial assistance in the public broadcasting area to comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and with Executive Order No. 11246. The Guidelines should be read in conjunction with regulations implementing these statutes and the Executive Order.

Due to differing requirements and procedures imposed by Federal statutes enforced by this Office, actions taken by this Office will not necessarily parallel those of other governmental bodies. However, efforts will be made to coordinate requests for information and investigations of complaints to reduce inconvenience to broadcasters.

EQUAL EMPLOYMENT OPPORTUNITY

Discrimination in employment is prohibited by different Federal statutes and executive orders:

Title VI of the Civil Rights Act of 1964

Title IV protects beneficiaries of Federally financially assisted programs from discrimination on the ground of race, color, or national origin. Employment discrimination in public broadcasting is generally prohibited when the primary objective of the Federal financial assistance is to provide employment. Even in situations where the primary objective of the Federal financial assistance is not employment, employment discrimination is prohibited by Title IV in cases where the applicants or employees have an impact on the services provided beneficiaries. For example, the treatment of current of prospective employees in positions which have a direct impact on the viewing or listening audience is covered, such as on-air talent and teachers or others appearing on instructional broadcasts. Other covered individuals are those who occupy or seek to occupy positions which affect broadcasting services, including writers, producers, editors, personnel specialists, and most policy makers, whether full or part time or volunteers. Teachers and other professionals in support positions for the production of instructional broadcasting are also covered. In addition, public broadcasters are required to ensure equal training opportunity to covered individuals, whether the training is on-the-job or more formal, regardless of the source of the trainees.

Title IX of the Education Amendments of 1972

Discrimination or exclusion based on sex is prohibited in all employment positions by public broadcasters who receive Federal financial assistance.

Executive Order 11246

Executive Order 11246, as amended, applies to those public broadcasters who are Federal contractors or are licensed to Federal contractors (such as many colleges and universities) with Federal contracts in the amount of $10,000 or more, and prohibits discrimination on the ground of race, color, religion sex, or national origin in their employment practices. Those Federal contractors with 50 or more employees and with contracts in excess of $50,000 must develop and maintain a written affirmative action program in accordance with the requirements of Revised Order No. 4 (attached).

IDENTIFICATION OF BENEFICIARIES AND INTERESTS

Each public broadcaster receiving Federal financial assistance is required to give due consideration to all numerically significant racial or national origin minority groups in its service area. Thus it is important that such broadcasters identify the interests of the people it serves. In order to achieve compliance with Federal law, public broadcasters should take the following steps:

1) Maintain demographic data of the broadcast area by race, color, and national origin, such as "Black," "Asian," "Spanish-surnamed," "American Indian," or other minority group of significant numbers.

2) Poll individuals in the broadcast area, including minorities and women, to identify interests that may be served by the broadcaster. Polls should be conducted by means reasonably calculated to elicit responses from a representative number of each racial and national origin minority group, and women in the broadcast area. Such means may include door-to-door surveys, telephone surveys, or mailed questionnaires.

3) Identify through such a polling procedure the primary language of numerically significant racial or national origin minority groups who speak little or no English.

4) Whatever the polling method(s) used, broadcasters should announce their desire to identify the interests of those in their broadcast areas by means reasonably calculated to include each numerically significant racial and and national origin minority group, and women, in the service area. In order to include those individuals who may not be regular members of the public broadcaster's audience, such announcements should be made in various media, such as print, or by other sufficientmeans.

5) Endeavor to ensure that advisory or planning bodies that affect, directly or indirectly, the provision of services include members of numerically significant racial and national origin minority groups and women in numbers reasonably representative of their number in the broadcast area.

ACCESS TO SERVICES

Broadcasters which have in their broadcast area a significant number of non-English or limited-English speaking persons have an obligation to ensure that such persons are reasonably able to benefit from services offered notwithstanding their limited English speaking ability. This may be accomplished through the use of, for example, bi-lingual or non-English programming, subtitles, or simultaneous broadcasting.

Stations which produce or otherwise provide instructional services are responsible for meeting the instructional needs and interests of all students, including minority and female students. Selections of students, classrooms, and schools for participation in instructional broadcasting shall be made in such a manner as to ensure equal participation by and benefits to all persons regardless of race, color, sex or national origin.

The interests of the female and minority commities in the service area should be considered on the same basis as those of the general population, in production, coverage, and range of subject matter provided.

Stations should seek to include a wide range of personal characteristics in portraying persons of all races, national origins, and sexes in order to avoid stereotyping of minorities and women.

NOTIFICATION TO BENEFICIARIES AND PARTICIPANTS

Broadcasters shall make available to minorities and women, in a manner reasonably calculated to reach them, information necessary to apprise them of the protection against discrimination assured by law.

Such information shall be presented on a continuing, regular basis and shall include the basic antidiscrimination provisions of Federal statutes, and reference for further information to the Office for Civil Rights, Department of Health, Education, and Welfare, 330 Independence Avenue, S.W., Washington, D.C. 20201.

This requirement can be met by daily broadcasts at times reasonably calculated to reach minorities and women of the following sample announcement:

> "Station XX is subject to the requirements of Federal law which make it illegal to discriminate on the basis of race, national origin, or sex. For further information, persons may contact Station XXX or write to:
>
> Office for Civil Rights
> Department of Health, Education, and Welfare
> 330 Independence Avenue, S.W.
> Washington, D.C. 20201

GENERAL

These guidelines have been prepared in order to assist public broadcasters in serving all members of the broadcast audience in an equal, non-discriminatory manner. In examining its practices in light of these guidelines, each broadcaster should take action to eliminate unlawful discriminatory practices identified. Technical assistance may be requested of this Office as needed.

356 WEST 58 ST
NEW YORK, N.Y. 10019
(212) 262-4200
EDUCATIONAL
BROADCASTING
CORPORATION

APPENDIX R

AMENDMENT TO BRCT - 329

EDUCATIONAL BROADCASTING CORPORATION herewith amends Section VI, Part III of its pending License Renewal Application for Station WNET, Newark, New Jersey, by supplying the attached Equal Employment Statement which it has entered into with the Puerto Rican Media Action and Education Council, Inc.

Respectfully submitted,

EDUCATIONAL BROADCASTING CORPORATION

By: Gerard Appy
Gerard Appy
Vice-President,
Director of Administration

Amendment to Section VI, Part III, License Renewal Application of Educational Broadcasting Corporation:

GENERAL CONSIDERATIONS:

1. The Licensee agrees that all recruiting, hiring, training, compensation, overtime, job classifications and assignments, working conditions, promotions, transfers, employee treatment, and all other terms, conditions, and privileges of employment shall be maintained and conducted in a manner which does not discriminate on the basis of race, color, sex, religion, or national origin in violation of the Communications Act of 1934 as amended, the regulations promulgated pursuant thereto, and the applicable guidelines of the Corporation for Public Broadcasting (hereinafter jointly referred to as the "Civil Rights Provisions").

2. The Licensee agrees that all notices required to be posted by the Civil Rights Provisions will be conspicuously posted and/or distributed and kept upon its premises, operations and in all other places where bulletins and notices to employees and applicants for employment are customarily and generally posted and displayed.

3. The Licensee agrees that there shall be no discrimination or retaliation of any kind against any person because of lawful opposition to any practice declared unlawful under the Civil Rights Provisions; or because of the filing of a charge, complaint or comment; giving testimony or assistance; or lawful participation in any investigation, proceeding or hearing under the Civil Rights Provisions.

4. The Licensee agrees to post and maintain the following statement of policy in the places specifically referred to in paragraph 2 herein:

AFFIRMATIVE ACTION EMPLOYMENT PROGRAM

Equal employment opportunity for women, Blacks, Spanish-surnamed Americans and other minority group persons is the law. It is this company's policy not only to comply with the letter of that law but also to take affirmative action to make equal employment opportunity a reality. We hope that each employee of the company will assist in this effort by referring to us women and minority group persons who might be qualified for any vacancy which occurs.

EQUAL OPPORTUNITY IS THE LAW

Federal Law prohibits discrimination in employment based upon race, color, religion, sex or national origin. Applicants or employees who believe they have been discriminated against may notify the Federal Communications Commission, Washington, D.C. 20554, The Equal Employment Opportunity

Commission, the New York State Division on Human Rights, the New Jersey Department of Law and Public Safety, Division on Civil Rights, or other appropriate agencies of government.

5. The Licensee agrees to inform all applicants for employment and future employees of its said equal employment opportunity policy by incorporating in its application for employment as soon as is practical an abbreviated version of the aforesaid statement of policy, as follows:

> It is WNET's fundamental policy to provide equal employment opportunity in all of its operations and in all areas of employment practice and to assure that there shall be no discrimination against any employee or applicant for employment on the grounds of race, color, sex, religion, or national origin.

6. The Licensee states that specific instructions for affirmative action to implement its non-discriminatory employment policy have been issued and will be continued to be issued by Management as may be required.

7. The Licensee agrees that the Guidelines on discrimination because of national origin and on employment testing procedures (as may be subsequently amended) as promulgated by the Equal Employment Opportunity Commission shall be applied, where applicable, in and to all of the Licensee's operations, except to the extent that any such guideline, or part thereof, shall be determined by a Court of competent jurisdiction to be beyond the authority of the EEOC and provided that nothing contained herein shall be construed as a waiver of licensee's right to contest the validity of any such guideline or part thereof.

8. The Licensee also agrees to direct a statement to all of its officials and supervisory personnel emphasizing the importance of its non-discriminatory employment policy, advising them that they will be held strictly accountable for the effectiveness of such policy, and directing them to take all necessary steps to fully implement the policy in all areas and on all levels of the Licensee's operations.

9. The Licensee will make good faith efforts to increase its overall percentage of Latinos in its workforce to at least 5% of its total station employment subject to the following:

(a) No decrease in the turnover rate during the forthcoming license term;
(b) No adverse change in the Licensee's financial position;
(c) Availability of applicants who, in the good faith opinion of WNET-TV, are qualified for the positions WNET-TV is seeking to fill.

10. Of equal importance to WNET-TV is its efforts to increase the utilization of Latinos in the four highest FCC Form 395 job classifications, subject to WNET-TV's existing job posting procedures, which are themselves elements of the Licensee's Affirmative Action Plan. In this regard, the Licensee will place special emphasis on recruiting and hiring Latinos for entry level positions having potential for upward mobility. Illustrative examples of types of positions considered to have a potential for upward mobility would include those such as production assistant, program researcher, junior financial analyst and similar positions.

11. During the forthcoming license term, it is the Licensee's intention to employ one or more Latinos in a position classified as "professional" under FCC Form 395 over and above those presently on the Licensee's staff and for programs which are of general interest as well as Latino-oriented.

12. The Licensee hereby agrees to establish and seek the necessary funding for the establishment of a Bilingual-Bicultural Professional Intern Program or comparable training program.

The purpose of this program will be to increase the availability of skilled Latinos and other minorities for future professional positions (top 395 positions) within the Licensee's work force.

To the extent reasonably possible, the Licensee will make good faith efforts to employ within the Licensee's work force those persons who successfully complete the above program.

Notwithstanding any of the provisions concerning this program, the Licensee will make all good faith efforts necessary to insure that Latinos are adequately represented at all levels of the Licensee's work force to the extent that such persons are located within the work force of the Licensee's service area.

13. The Licensee will continue to use its best efforts to have at least one Latino serve on its Board of Trustees and when no Latino is serving, will affirmatively seek qualified Latino candidates for a Board position.

14. In fulfilling the objectives stated in this Amendment, the Licensee will seek, and will expect, the cooperation and assistance of Latino service and social organizations within its service area willing to provide such cooperation and assistance.

15. The Licensee may use reasonable discretion in fulfilling the terms and conditions of this agreement, understanding that rules and regulations applicable to licensee shall have priority over the terms and conditions of this agreement.

television/26
radio/fm90.9

3620 27th street, south
arlington, virginia 22206
703/820-4600

weta
public broadcasting in the nation's capital

September 8, 1975

Mr. Vincent Mullins
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C.

Re: BRET-54 and BRED-447

Dear Mr. Mullins:

Forwarded herewith is a supplement of the above referenced licensee's affirmative action plan which is to be associated with the application for renewal now on file.

The enclosed document, entitled "Letter of Agreement Between GWETA and the D.C. Media Task Force," represents an effort on the part of the licensee to take significant steps towards achieving equitable employment patterns consistent with its own perception of the needs of its service area and its responsibilities as an FCC licensee.

Please do not hesitate to contact the undersigned should you require additional information.

Sincerely,

Ward B. Chamberlin, Jr.
President and General Manager

Enclosure

television/26
radio/fm90.9

3620 27th street, south
arlington, virginia 22206
703/820-4500

weta
public broadcasting in the nation's capital

LETTER OF AGREEMENT BETWEEN GWETA AND THE D.C. MEDIA TASK FORCE

Representatives of the licensee of WETA-TV, GWETA and the D.C. Media Task Force have conducted a continuing dialogue relating to certain policies, practices and objectives of GWETA. As a result of these discussions, GWETA has determined to take the following steps to clarify its commitments in the area of equal employment opportunity believing these steps to be in the public interest of its community of license.

1. Black citizens comprise a substantial segment of the audience which GWETA is licensed to serve. GWETA has conducted a utilization analysis of black employment at all job levels within the licensee. This has revealed the need for strong remedial efforts to insure that blacks are reasonably represented in relation to their presence in the WETA-TV audience at all levels of the licensee. In an effort to cure past deficiencies in its affirmative action efforts, the licensee on the basis of this analysis, has resolved to take significant initial steps towards achieving equitable employment patterns and staffing, consistent with its own perception of the needs of its service area and its responsibilities as an FCC licensee.

GWETA believes that affirmative action requires more than mere employment neutrality. It acknowledges that as a broadcaster it should make additional efforts to engage in a positive, continuing program of specific practices to assure equal employment opportunity in recruiting, hiring,

training, promotion and other personnel actions. A basic element and starting point in effecting a solid affirmative action program is to set forth a firm commitment to the national goal of eliminating discrimination and fostering equal employment opportunity. GWETA subscribes to this policy, and commits itself to the following acts during the next license period in furtherance of this critical national and local goal.

2. EMPLOYMENT

A. Achieving a Goal of Twenty-five Percent Black Employment at all Levels of the Company During the Next License Period

This goal has been established by GWETA in recognition of the fact that persons of various racial backgrounds should be hired and employed in all job categories in some reasonable relationship to the general makeup of the work force and availability. With this point in mind, and with the commitment to the national goal of eliminating discrimination and fostering equal employment opportunity, GWETA has determined that it is in the interest of the public to establish a recruitment, hiring, training and promotion goal and a timetable in which to implement such policy. For these purposes, goal is defined as a numerical employment objective that can and should be realistically fixed in terms of the number of job opportunities expected by GWETA and the number of black persons in the Washington, D.C. labor market. A timetable is defined as a period during which the employment goal shall be achieved. During the forthcoming license term, it is GWETA's intention to at all times employ its good faith efforts to achieve this goal.

It is neither the intention, design, plan or understanding of GWETA and its representatives that its specific goal of achieving during the coming license term a level of 25% black employment throughout all job levels of its operations shall work to the exclusion of or be construed as inimical to the general affirmative action goal of hiring Hispanic, female or other persons so as to reflect the general makeup of the local work force and availability.

B. Filling Employment Vacancies

GWETA has instituted a policy of internal hiring whenever and wherever possible, so long as such policy does not operate to the exclusion of black or other minority applicants or otherwise impede its goal that blacks be adequately represented at all levels of the licensee.

This policy, of necessity, involves the according of full and equal consideration to all employees of the licensee including present black employees who apply for vacancies. GWETA plans to promote black employees from within wherever consistent with the national goal, the licensee policies, and the job qualifications of such employees.

In addition, however, GWETA has adopted the following efforts (encompassing outreach and internal procedures) to insure that other potential black applicants are informed of vacancies within the licensee.

(i) Recruitment. GWETA shall use all means possible to pursue its goal of achieving 25% level of black employment at all levels of the licensee by the end of the license period. It shall contact a list of organizations, including but not specifically limited to those listed in Attachment A.

(ii) Training

(a) Intern Program. GWETA shall at least continue the operation of its Institutional Intern Program at its current level, and continue to place special emphasis on the need for participating institutions to nominate and supply black interns to the company for training.

(b) The Non-Institutional Intern Program shall place special emphasis on the need to include blacks and other minority persons in such program, believing this to be a positive step in the effort to provide equal opportunity in training.

(c) Job Improvement. The Employee Improvement Program shall continue at the same operational level, but will continue to give special encouragement to assisting the vertical movement of blacks and other minorities presently employed at and in the licensee.

(iii) Posting and Announcements. All job vacancies shall be posted in a conspicuous place within the licensee's offices, and such procedure of posting shall be clearly explained to all employees, whether now employed or shall become employed at any time in the future. GWETA shall also make job announcements on vacancies available to organizations within its market of service capable of providing assistance in reaching its goal of 25% black employment at all levels of the licensee during this period of license. Any list of organizations receiving such notices shall include the organizations named in Attachment A.

GWETA acknowledges that many questions connected with points on affirmative action plans are often capable of being addressed through general information and the making available of such information. Pursuant to this observation, GWETA plans to post notices of all special announcements, agreements or actions which affect employment practices and/or affirmative action plans. In setting this policy, GWETA plans to commence implementation forthwith by posting notices of this agreement as well as a copy of any and all agreements with the EEOC or similar public agency regarding employment practices at GWETA. Such notices shall be posted in conspicuous places for review by the employees and by including such document(s) in its public file.

(iv) First Level Achievement. In order to indicate its intention to comply with its own policies and with the spirit of this agreement, GWETA fully expects, within sixty days from the date of this agreement, to offer black persons two policy making positions in the licensee.

(v) Involving Black Employees in Policy Making Decisions. GWETA presently has weekly management meetings of management persons in what is loosely referred to as "weekly management meeting." As of this point, there are no black employees in the licensee's employ who participate in these weekly meetings.

The licensee has determined that it would be in the best interest of both the licensee and its employees to forthwith include

at least i[illegible] highest ranking black employee in such weekly management meetings, without regard to the employee's technical title.

3. PROGRAMMING

In our discussions, GWETA has stated that it is not satisfied with the amount or the quality of its programming addressed to the black citizens within its signal area. It has agreed that, in addition to making strenuous efforts to obtain additional funding for local programming and to increasing the number of blacks in all employment categories as set forth above, it will endeavor to increase the number and/or percentage of locally produced shows that address the concerns of the black audience consistent with Commission standards.

CONCLUSION

GWETA recognizes its ongoing licensee responsibility to re-evaluate periodically the program adopted in this agreement to determine if its commitments are continuing to meet the public interest of its community of license. It further intends to continue to meet and consult with representatives of the D.C. Media Task Force during the license term as to the manner in which this program is operating, and whether it is achieving the desired results, and to discuss with the D.C. Media Task Force any changes in such programs prior to their implementation.

D.C. MEDIA TASK FORCE

by: Pluria Marshall

Pluria Marshall

Sept. 8 1975

Date

GREATER WASHINGTON EDUCATIONAL TELECOMMUNICATIONS ASSOCIATION, INC.

by: Ward B. Chamberlin Jr.

Ward B. Chamberlin, Jr. Pres.

Sept 8 1975

Date

ATTACHMENT A TO LETTER OF AGREEMENT BETWEEN GWETA AND THE D.C. MEDIA TASK FORCE

MINORITY RECRUITING SOURCES

SOURCES:	CONTACT (S):
1. American Association of University Women 2401 Virginia Avenue, N.W. Washington, D.C. 20037	Alice Beeman, General Director (202) 785-7700
2. Americans for Indian Opportunity 1816 Jefferson Place, N.W. Washington, D.C.	Maggie Gover 466-8420
3. Association of Business and Professional Persons Philadelphia, Pa. 19107	Mr. Joe Williams Personnel Consultant (215) PE5- 4300
4. Corporation for Public Broadcasting Minority Affairs Office 1111 16th Street, N.W. Washington, D.C. 20006	Mr. William Powell Minority Affairs Counselor 293-6160
5. Federal City College 1420 New York Avenue Washington, D.C. 20005	Delores Finch Personnel 727-2595
6. Howard University 2400 6th Street N.W. Washington, D.C.	Mrs. Pearl Bailey Office of Placement and Career Planni 636-7513
7. Manpower Development and Training Silver Spring, Md. (Spanish Speaking)	Mrs. Warrez Mrs. Fontonez 588-3456
8. NAACP 1790 Broadway New York, New York 10019	(212) 245-2100
9. National Association of Educational Broadcasters 1346 Connecticut Avenue, N.W. Suite 1101 Washington, D.C. 20036 (No secretaries or clerical)	Sharon Greenwell Director 785-1100

MINORITY RECRUITING SOURCES

SOURCES:	CONTACT (S):
19. Raymond Moore, Editor Richmond Afro American Richmond, Virginia	
20. Moses J. Newson President and Editor Afron American Baltimore, Maryland	
21. Vincent Sanders News Editor National Black Network New York, New York	
22. The Urban League of Washington, D.C. 1424 - 16th Street, N.W. Suite 604 Washington, D.C.	Mrs. Rutledge Employment Services 265-8200
23. Washington Opportunities for Women 1111 - 20th Street, N.W. Washington, D.C. 20036	223-8670 New Careers
24. National Organization for Women 1424 - 16th Street, N.W. Washington, D.C. 20036	387-6895
25. Black Women Employment Program Southern Regional Council 52 Fairlee Street, N.W. Atlanta, Georgia 30303	Alexis [illegible]man Director Paulette Norvel Associate Director (404) 522-8764
26. WTOP Minority Training Program WTOP-TV 4001 Brandywine Street, N.W. Washington, D.C. 20016	

APPENDIX T

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

MAY 20 1976

IN REPLY REFER TO:
8410

Charles O. Verrill, Esq.
Patton, Boggs & Blow
1200 Seventh Street, N.W.
Washington, D. C. 20036

Dear Mr. Verrill:

This refers to your pleading of April 29, 1976, captioned "Petition of Louisiana Educational Television Authority For Definitive Order". In short, you request that the Commission order the Louisiana Educational Television Authority (LETA) and the Department of Civil Service of the State of Louisiana (Department) to "...utilize selective certification pursuant to Section 8.5(b) of the Louisiana Civil Service Rules, with respect to original appointments to vacancies by LETA."

You state that LETA is an authority established by the State of Louisiana for the purpose of establishing and operating a statewide network of non-commercial, educational broadcast stations; that the first station in the network located in Baton Rouge went on the air in September, 1975; that another television station is under construction in Monroe, Louisiana; and that applications are pending or will be submitted for other stations. You also state that LETA, as an agency of the state, is subject to the appointment procedures of Chapter 8 of the Civil Service Rules of the State of Louisiana; that when an original appointment (new hire) is made, LETA must request the Director of Civil Service (Director) to certify the names of persons eligible for appointment, furnishing such information as the Director may need in determining eligibility; that the Director then certifies a list of eligibles; and that LETA is required to select the appointee only from the top three persons on the list unless one or more of the top three is unavailable.

"In practice," you state, "it has been the experience of LETA that the Rule of Three has effectively prevented the appointment of minority group members or women to new positions." You state that LETA will be unable to meet the equal employment opportunity goals and policies established for licensees by the Commission if it continues to make appointments from the eligibility lists based on the Rule of Three and that if minorities are constantly denied employment "...this will have a chilling effect on prospective applicants and frustrate LETA's efforts...."

You note that one exception to the Rule of Three is Section 8.5(b) of the Louisiana Civil Service Rules 1/ which permits the Director to selectively certify as eligible for original appointments persons who have the basic qualifications for the position, but who may not be in the top three ranking of eligibles. You state that LETA has already applied to the Department for selective certification of minority group eligibles and the Director responded that he would use the selective certification provision if LETA could obtain an order from the Federal Communications Commission directing him to selectively certify to LETA. In light of these facts, you request that the Commission issue an order directing LETA and the Department to "...utilize the procedures of Section 8.5(b) of the Louisiana Civil Service and selectively certify minority or female applicants for positions with the licensee...." You maintain that with this order LETA would be in a position to achieve compliance with the Commission's EEO policies when combined with its other efforts to find and encourage minority and female applicants.

The Commission's jurisdiction, as you know, extends to regulating interstate and foreign commerce in communication by wire and radio. Communications Act, 47 U.S.C. 151 et seq. As a preliminary matter, therefore, it appears that the Commission lacks jurisdiction over the Louisiana Department of Civil Service and, thus, would be without authority to order the Department to utilize selective certification procedures. We are, however, deeply concerned over the dilemma which the LETA now finds itself as a result of Civil Service regulations.

In Griggs v. Duke Power Co., 401 U.S. 424, 28 L. Ed. 2d 158 (1971), the Supreme Court held that employment practices which perpetuate longstanding discriminatory preference to whites and which cannot be shown to be related to job performance are prohibited and, thus, must be eliminated. Concerning the conduct of State employers, the First Circuit in Castro v. Beecher, 459 F. 2d 725 (1972), said at 732:

> The public employer must, we think, in order to justify the use of a means of selection shown to have a racially disproportionate impact, demonstrate that the means is in fact substantially

1/ Section 8.5(b) provides:

> In specific instances, and pursuant to and in conformity with and order of a court, commission, or agency of competent jurisdiction, the Director may make selective certification.

> related to job performance. It may not, to state the matter another way, rely on any reasonable version of the facts, but must come forward with convincing facts establishing a fit between the qualification and the job.

Although Griggs and Castro were Title VII and Fourteenth Amendment employment cases, their principles are controlling here. By your own admission, it appears that the "rule-of-three" is acting as a barrier to your ability to solicit for employment minorities and women. Granted, it appears that the Department's referral of candidates is racially neutral. Nonetheless, since the Department's referral system appears to perpetuate existing racial patterns of employment, sole reliance on the "rule-of-three" referral of candidates appears to be violative of the Commission's rules and policies.

As you are aware, the Commission has steadfastly maintained that its rules and policies do not call for fully proportional employment of minorities and women in relation to their respective percentages of the area workforce. See Report and Order, Docket No. 18244, 23 FCC 2d 430, 431 (1971). See also Chuck Stone v. FCC, 466 F. 2d 316, rehearing denied, 466 F. 2d 331 (1971). The Commission has also held, however, that broadcast licensees must change their employment policies, including their recruitment practices, when such policies are found to deny equality of opportunity in that they operate to the serious disadvantage of minorities and women. See, e.g., Employment Policies and Practices - Florida, 44 FCC 2d 735 (1974). To this end, the Commission expects all of its licensees to fully comply with its rules regarding equal employment opportunities, including noncommercial educational licensees who are under a statutory obligation to hire through a civil service system. See City of New York Municipal Broadcasting System, 56 FCC 2d 169 (1975). Thus, while we are sympathetic toward the situation in which LETA now finds itself, we do not regard the existence of the Louisiana Civil Service Rules as excusing LETA from compliance with the rules and policies of this Commission. In this regard, simple reliance upon civil service directives, even if the directives embody non-discrimination, do not, in our view, relieve a broadcast licensee from its obligations of nondiscrimination and affirmative action to recruit and hire minority group members and women. The failure to comply with our rules can, of course, result in harsh sanctions.

We recognize your efforts to comply with our equal employment opportunity rules and your apparent desire to hire minorities and women. We are, nevertheless, concerned about the barriers which now prevent LETA from complying

with these rules and policies. Therefore, we urge that you take such steps as are necessary to achieve compliance with our rules. In light of the serious nature of this problem, we expect that the Division of Civil Service and other State officials will cooperate fully with LETA in resolving this problem. We trust that LETA and the Division will arrive at a solution to this matter so that the Commission will not be forced to take remedial action with respect to LETA's equal employment opportunity policies when the licensee's stations come before this Commission at renewal time. Finally, we request that you keep this office advised of your efforts to resolve this problem.

Sincerely yours,

Richard J. Shiben
Chief, Renewal and Transfer Division
Broadcast Bureau

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In re Application of	)	
	)	
LOUISIANA EDUCATIONAL TELEVISION AUTHORITY	)	
Channel 27	)	Request No.
Baton Rouge, Louisiana	)	
	)	
Request for Definitive Order	)	

To: The Commission

PETITION OF LOUISIANA EDUCATIONAL TELEVISION AUTHORITY FOR DEFINITIVE ORDER

Pursuant to §1.41 of the Commission's Rules and Regulations, the Louisiana Educational Television Authority ("LETA"), by its attorneys, hereby requests the Commission to issue an order directing LETA and the Department of Civil Service of the State of Louisiana to utilize selective certification pursuant to §8.5(b) of the Louisiana Civil Service Rules, with respect to original appointments to vacancies by LETA.

A. Background for this Request

1. LETA is an authority established by the State of Louisiana for the purpose of establishing and operating

a statewide network of noncommercial, educational broadcast stations. The first station in the network, Channel 27, Baton Rouge, Louisiana, went on the air in September 1975. The next scheduled activation will be Channel 13 in Monroe, Louisiana, which is currently under construction. Applications are also pending for stations in Shreveport and Lafayette, Louisiana. Subsequent applications will be filed for other cities in the State in order to fulfill the commitment to a statewide network.

2. As an agency of the State, LETA is required to follow the certification and appointment procedures of Chapter 8 of the Civil Service Rules of the State of Louisiana. Under these Rules, whenever an original appointment (i.e., a "new hire") is to be made, LETA must request the Director of the Civil Service Commission to certify the names of persons eligible for appointment furnishing such information as the Director may need to make a determination of eligibility. The Director in turn certifies to LETA the names of the highest ranking eligibles from the appropriate list for the vacant position. Various criteria are utilized in establishing the list of eligibles including educational attainment, test scores, and similar factors normally associated with civil service appointments. LETA is then required to make the appointment

from the top three persons on the eligible list (this is known as the "Rule of Three"), unless one or more of the top three are unavailable. In the latter instance, LETA is required to select from the top three available eligibles. Under the Louisiana system, eligibility is determined without regard to race, creed, religion or sex.

3. In practice, it has been the experience of LETA that the Rule of Three has effectively prevented the appointment of minority group members or women to new positions. At the present time, for example, there is a vacancy for which the listed eligibles include a black who is a number nine on the list. This person is fully qualified for the position, but because of his place on the eligible list cannot be appointed by LETA unless at least six of the eligibles who out-ranked him are unavailable or decline appointment, which is unlikely. Thus, while LETA would prefer to hire this person, it cannot unless the relief requested in this Petition is granted.

4. LETA recognizes that it will be unable to meet the employment opportunity goals and policies established for licensees by the Commission if it continues to make appointments from the eligible list based on the Rule of Three. While affirmative efforts have been made by LETA to encourage minorities and women to apply for positions at the station, it is obvious that if they are consistently denied employment

because they do not rank within the top three, that this will have a chilling effect on prospective applicants and frustrate LETA's efforts. Accordingly, LETA has applied to the Department of Civil Service for selective certification of minority group eligibles. (Section 8.5 of the Civil Service Rules permits the Director of the Civil Service to selectively certify as eligible for original appointment persons who have the basic qualification for the position, but who may not be in the top three ranking of eligibles, under certain circumstances.) A copy of LETA's letter to the Director of the Civil Service is attached hereto as Annex A.

5. The Director of Civil Service responded to LETA's request by letter dated April 9, 1976, a copy of which is attached as Annex B. In this letter, the Director notes that the Department is bound by the provisions of the State Constitution and the Civil Service Rules (see Annex C) which have the force and effect of law and that selective certification is permitted only in the case of particular circumstances (which are not applicable to LETA) or in response to court order. That is, §8.5(b) of the Civil Service Rules provides for selective certification "in specific instances and pursuant to and in

conformity with an order of a court, commission or agency or competent jurisdiction...." The Director further states that he would consider the Federal Communications Commission as an "agency of competent jurisdiction," and that if an order is issued by the Commission requiring the Director of Civil Service to selectively certify eligibles to LETA, then the Director "will be in a position to conclude that I possess the necessary legal authority to do so." (Annex B, page 2)

6. In summary, LETA is in a dilemma. It is required by the Commission's Rules and Regulations to make all reasonable efforts to achieve employment ratios reasonably consistent with the demographics of the service area of its station. By the same token, it is bound by the nondiscrimination provisions of the Louisiana Constitution and Civil Service Rules to make its employment selections only from the top three on the lists of eligibles furnished by the Civil Service Commission. In practice, this has resulted in an inability on the part of LETA to establish employment ratios that are consistent with the Commission's EEOC policies.

B. Relief Requested

7. LETA hereby requests that the Commission issue an order directing it and the Department of Civil Service to utilize the procedures of §8.5(b) of the Louisiana Civil Service Rules and selectively certify minority or female applicants for positions with the licensee. LETA requests only that selective certification be utilized within the context of lists of eligibles. This would mean that selection could be made among applicants who possess the basic qualifications for the position but who happen not to fall within the top three on the list of eligibles. With this capability, LETA believes that it will be in a position to achieve compliance with the Commission's EEOC policies when combined with its other efforts to find and encourage minority and female applicants.

8. In support of this request, LETA emphasizes its commitment to fully comply with both the spirit and letter of the Commission's Rules and Regulations regarding equal employment opportunities and its inability to bring this commitment to fruition in the absence of the relief requested in this petition. By making this request shortly after the initiation of operations at the first station in the network of stations that LETA will eventually operate

in Louisiana, LETA is demonstrating good faith and an energetic commitment to its responsibilities as a licensee. We do not want to be confronted with the problem of inadequate minority or female representation at the next license renewal: rather, it is the desire of LETA to resolve this problem at an early stage in its operations and to this end, the order requested from the Commission is essential.

9. Inasmuch as pending appointments are being delayed in the hopes that selective certification can be utilized, we request that this petition be given expedited consideration.

Respectfully submitted,

LOUISIANA EDUCATIONAL TELEVISION AUTHORITY

By

_____
Charles O. Verrill, Jr.
Its Attorney

Of Counsel

Patton, Boggs and Blow
1200 17th Street, N.W.
Washington, D.C. 20036
(202) 223-4040

Equal Opportunity and CPB Assistance

I. Policy

It is the policy of the Corporation for Public Broadcasting: (1) to fully comply with all applicable laws and regulations, including laws and regulations prohibiting discrimination against any person on the basis of race, color, religion, national origin, age, or sex, and (2) to require that each recipient of assistance from the Corporation whether in cash or in kind, comply with all such laws and regulations.

II. CPB Role and Cooperation with Government Agencies

The Corporation for Public Broadcasting is a private, non-profit Corporation. Because CPB is neither a government agency nor a law enforcement body, it does not have the legal authority to investigate and adjudicate complaints based upon allegedly discriminatory practices by recipients of its assistance that such agencies and bodies do. CPB will, however, promptly refer all such complaints received by it to a government agency with jurisdiction for any proceedings that may be appropriate. Further, the Corporation will cooperate fully with every agency with jurisdiction to inquire into allegedly discriminatory practices of recipients of CPB assistance.

III. Laws and Regulations Applicable

Applicable laws and regulations prohibiting discrimination against persons on the basis of race, color, religion, national origin,

age, or sex may be federal, state or local, and may vary from recipient to recipient and from jurisdiction to jurisdiction. Each applicant or recipient of CPB assistance shall inform itself of the laws and regulations applicable to it, and the Corporation shall not undertake to so inform the applicant or recipient, unless a law or regulation requires that the Corporation do so, and then the Corporation shall undertake to inform the applicant or recipient only to the extent the law requires.

IV. Suspension or Cancellation of CPB Assistance

Whenever a court or government agency with jurisdiction shall determine finally that a recipient of assistance from the Corporation is in violation of federal, state or local laws and regulations prohibiting discrimination on the basis of race, color, religion, age, national origin or sex, and notice of such determination is given in writing to the Corporation by the court, agency, or any other person and officially certified, the Corporation shall promptly notify the recipient that unless the recipient shall demonstrate to the satisfaction of the Corporation within 30 days that the violation has been fully corrected or that the recipient is in full compliance with all remedial provisions of such final determination, the Corporation shall suspend or cancel all assistance to the recipient.

Whenever such final determination is appealed or otherwise challenged in an appropriate forum, whether or not the effect of such

determination is stayed pending appeal, the Corporation shall notify the recipient that, unless the recipient can show cause to the contrary within 30 days, the Corporation shall suspend or cancel CPB assistance. If the Corporation decides to suspend such assistance, then all sums that would otherwise have been payable to the recipient shall be held by the Corporation pending completion of the appellate process, but the provision of in kind assistance shall not be suspended or cancelled pending the appeal.

V. Applicants Ineligible to Receive CPB Assistance

An applicant for assistance from the Corporation whom a court or government agency with jurisdiction has determined finally to be in violation of any federal, state, or local law or regulation prohibiting discrimination on the basis of race, color, religion, national origin, age, or sex shall be ineligible for assistance from the Corporation, unless the applicant shall demonstrate to the satisfaction of the Corporation that the violation has been fully corrected or that it is in full compliance with all remedial provisions of such final determination.

VI. Effective Date

The provisions of this policy statement shall become effective with respect to assistance granted or applications for assistance filed or pending on or after March 1, 1974.

HOGAN & HARTSON

815 CONNECTICUT AVENUE
WASHINGTON, D. C. 20006

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February 27, 1975

Thomas G. Gherardi, Esquire
General Counsel
Corporation for Public
Broadcasting
888 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Mr. Gherardi:

Mr. Robert E. Dod, General Manager of the Alabama Educational Television Commission ("AETC") has forwarded to me a copy of your letter to him dated February 24, 1975 and has asked me, as counsel to the AETC, to respond on their behalf. Since your letter is short, I will not attempt to summarize it; but I am attaching a copy for easy reference.

As you may know, the AETC elected to seek neither administrative reconsideration nor judicial review of the FCC's decision of January 8, 1975 (a copy is attached) which denied its applications for renewal of licenses. Instead, the AETC has elected to accept the FCC's invitation to file applications for new licenses for these facilities. The AETC has also accepted the FCC's grant of interim authority, and is continuing to operate its nine stations pending action on its new applications, which are due to be filed by April 1, 1975. The AETC's pending application to the Corporation for Community Service Grant funds for the current fiscal year are intended to support the Alabama Public Television Network's

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continuing local programming efforts, and to purchase PBS programming in SPC-II for use during the 1975-76 season.

Your letter to Mr. Dod reflects the opinion that the FCC's decision renders applicable Section V of the CPB "Policy on Equal Opportunity and CPB Assistance" (a copy is also attached), requiring a showing by AETC "to the satisfaction of the Corporation that the violation [found by the FCC] has been fully corrected or that [AETC] is in full compliance with all remedial provisions [of the FCC decision]." The AETC has, of course, been aware of the CPB Policy including the language of Sections IV and V which you cited, and upon which you rely. Nonetheless, my client was extremely surprised by your letter, because its members and staff sincerely believe that they have already met all requirements of the CPB Policy, and are currently eligible for further CPB funding.

To explain the AETC's position, it is necessary to review the FCC's decision of January 8, 1975, and to look beyond the single sentence which you quoted in your letter. It would be a gross mistake to interpret that sentence, and the FCC's action, as a finding that the AETC is now in violation of any rule, regulation or law prohibiting racial discrimination.

The FCC decision ruled on applications which the AETC filed at the beginning of 1970 for renewal of the licenses for its nine stations. The FCC has unfortunately chosen not to take a remedial approach in its license renewal process. In considering whether or not to renew a broadcast applicant's license, the FCC for its own policy reasons has elected to rely primarily on the actions of the licensee during the three year license term immediately preceding the filing of the renewal applications, and to give little weight to actions - including

remedial actions -- taken after the end of that term.

The license term thus at issue in the AETC renewal proceeding was the period April 1, 1967 to April 1, 1970. The FCC's finding which you quoted -- that the AETC had followed a racially discriminatory policy in its overall programming practices and had neglected the needs of the black population in Alabama*/ -- related solely to the license period which ended on April 1, 1970. The FCC made no such finding regarding any of the FCC's policies or practices since April 1, 1970. To the contrary, the FCC itself reviewed the post-license term actions of AETC, and both explicitly and implicitly found that the AETC, subsequent to April 1, 1970, had corrected the discriminatory practices which had previously existed. As a consequence of the non-remedial nature of its renewal process, the FCC ruled that although "AETC's substantial post-[license]term improvements are commendable . . . AETC's discriminatory programming practices and its failure adequately to serve the black residents of Alabama during the license term constitutes such serious derelictions that we cannot decide the case on the basis of post-term improvements." (FCC 74-1385, ¶27.) That decision clearly did not diminish the findings as to the corrective post-term improvements.

I think it is important that the Corporation recognize these findings by the FCC, since they have tended to become obscured by the publicity directed at the Commission's denial of the renewal applications because of previous discrimination during the license term. The Commission's final decision adopted, without material change, Paragraphs 29 through 37 of Administrative Law Judge Naumowicz's Initial Decision. These paragraphs, which described in detail various steps taken by AETC subsequent to April 1, 1970 to be more responsive to the needs of blacks in

---

*/ The FCC decision also found no evidence of employment discrimination and held that AETC had complied with the affirmative action requirements of the Commission's equal employment opportunities regulation. (FCC 74-1385, ¶25.)

Alabama, are appended to this letter. The Commission held that the improvements were of sufficient magnitude to have corrected the license term violations, warranting both the continuation of AETC's authority to operate the stations on an interim basis and a waiver of the Commission's rules to allow AETC to re-apply for its licenses. Specifically, the Commission stated:

> [T]he record reveals that since 1970 AETC has acted to correct the situation which existed during the license term. It has taken positive steps to insure black involvement in administrative and programming decision making as well as in the production and presentation of programs, and to eliminate the discriminatory practices which previously had been followed. The improvements undertaken by AETC demonstrate that it has the capacity to change its ways and therefore that, despite its past misconduct, AETC possesses the requisite character qualifications to be a Commission licensee. (FCC 74-1395, ¶32; emphasis added.)

I submit that the Corporation should not invoke Section V of its Policy by referring only to that part of the Commission's decision which found discriminatory practices prior to April 1, 1970. Unlike the FCC's renewal process, the CPB Policy is on its face clearly intended to be remedial. The eligibility of an applicant for CPB funding is brought into question under the language of Section V of the Policy only where an appropriate court or agency has held the applicant to "be [as opposed to "have been"] in violation" of any prohibition against discrimination. And even where such a finding is made, eligibility continues where it is shown that the violation has been corrected, or that there is compliance with any remedial provisions of the agency's final decision. This language is not hard to understand. It means that

ineligibility for CPB funding exists only where the violation found by the court or agency still exists at the time a funding application is before CPB.

The language I have cited and quoted from the FCC decision clearly shows that the FCC itself found that the violation had already been corrected, and indeed that it had ceased almost five years ago. The very absence of any remedial provisions in the FCC's decision granting AETC interim authority to continue operation of its nine stations is further evidence of the FCC's finding that the violation had already been corrected. The AETC submits that this finding should be dispositive of the issue, and that no further, independent review by CPB is required or even contemplated under Section V of its Policy. In so stating, I do not want to leave the impression that my client is attempting in any way to deny CPB knowledge of appropriate facts which are deemed to be material to consideration of AETC's eligibility. The AETC does believe, however, that the evidence in the FCC hearing record, and the Commission's own findings and conclusions, should be sufficient to satisfy the Corporation that the AETC is not following racially discriminatory policies or practices, and is in fact providing a valuable service to the black community of Alabama.

In further support of this position, I have appended to this letter, in addition to the relevant findings of Judge Naumowicz which were adopted by the Commission, a copy of those portions of the AETC's Proposed Findings of Fact, submitted in the FCC hearing, which describe in greater detail the underlying evidence of post-1970 actions by AETC which formed the basis for the Judge's findings. As represented by AETC officials on the record during the FCC hearing, the corrective practices outlined in that evidence have been continued.

I think the Corporation may also find it noteworthy that virtually all of the current program decision-making personnel of the AETC were not in their positions during the 1967-1970 license period, during which the FCC found discrimination violations to have occurred. Mr. Dod and both his assistant general manager and his program director assumed their duties at the AETC subsequent to

April 1, 1970. Moreover, three of the five members of the AETC itself -- including its first black member, Dr. Harold N. Stinson, who is the President of Stillman College in Tuscaloosa, Alabama -- were not even members of that body prior to April 1, 1970. These men and women recognize, as they did throughout the long litigation before the FCC, that they have to live with the consequences of actions which were taken by some of their predecessors prior to April 1, 1970. But they are also extremely proud of their own record since April 1970, and believe that they are now entitled to be judged on that record over the last five years.

I believe that the material being submitted with this letter should permit a prompt and favorable resolution by the Corporation of AETC eligibility for continued funding. However, my client now faces a critical problem which requires the Corporation's immediate attention. Bidding began this week for PBS programming in the Station Program Cooperative (SPC-II). The AETC has intended to use up to $107,000 (maximum participation) from its CPB Community Service Grant to participate in SPC-II. Since no other funds have been authorized or are currently available to AETC from any source, the AETC cannot and will not make any commitments in SPC-II unless CPB Community Service Grant funds are authorized, and cannot even participate in SPC-II unless CPB makes some immediate arrangement -- interim or otherwise -- to permit such participation. I am sure that the Corporation realizes that if the AETC cannot participate in SPC-II bidding, it will miss the creative aspects of the SPC which determine which programs will be funded and produced. This is an important consideration, since participation by AETC, which is one of the 10 to 15 largest PBS members, can have a significant effect on which programs will or will not be produced, including minority oriented programs for which the AETC has expended substantial funds in the past.

While interim relief may be required to permit AETC participation in SPC-II, the ultimate grant of the AETC's CSG

application is needed to permit the continuation of PBS programming in the 1975-76 season for the citizens of Alabama. The Corporation may be interested to know that over 50% of the total funds (including matching funds) used to purchase PBS programs from SPC-I for use by the AETC were used for minority programs and programs specifically intended to serve the special needs of minority groups. In so stating, I do not even suggest that the Corporation approve or disapprove the AETC's programming decisions. I do not read your letter as indicating that the Corporation intends to pass judgment on my client's programming, and I believe it would be highly improper for it to do so. But a decision by the Corporation on whether to deny the AETC eligibility for further funding because of an FCC finding of past racially discriminatory practices cannot be made in a vacuum. It certainly cannot be made without regard to the consequences of such a decision and without regard to the current practices of the AETC, as reflected by its programming, in serving the needs of all citizens of Alabama, and particularly the needs of the state's black population. Only through Alice In Wonderland logic could CPB decide to deny the AETC funds, intended to be used in significant part to provide programming aimed at the special needs of blacks, on the grounds that the AETC failed to provide such programming over five years ago.

In its January 8, 1975 decision, the FCC concluded as follows:

> In view of the extensive improvements effectuated by AETC and the pressing need for public television in Alabama, we find that the public interest will be well served by granting AETC interim authority to continue operation of the eight stations for which it had held licenses and of the station for which it currently holds a construction permit, pending final Commission action on the new applications to be filed or

> until our further order.28/ This procedure will avoid any interruption of valuable instructional and other educational services to the people of Alabama while the new applications are being processed. (FCC 74-1385, ¶33; emphasis added.)
>
> 28/ This is in complete accord with the relief requested by petitioners [the complainants] herein....

From the Commission's own language, it is clear that the FCC neither contemplated nor intended that its decision would create "any interruption of valuable instructional and other educational services to the people of Alabama while the new applications are being processed." The FCC does not want its decision to cause an interruption of educational television services to the people of Alabama. The challenging petitioners in the FCC proceeding did not ask for such an interruption. The AETC, by its decision to continue interim operation and to seek new licenses, is doing all it can to avoid such interruption. But to achieve this joint objective, continued funding assistance from the Corporation is required.

My client has an important mission, and has no reason to believe that the Corporation is any less devoted to serving the educational needs of the citizens of the State of Alabama. The AETC trusts that the Corporation will be as satisfied as the FCC with the nondiscriminatory practices and policies of the AETC over the last five years, and will issue a Community Service Grant to permit the AETC to continue undiminished service to its constituents and viewers.

In view of the cloud this matter has raised over the ability of AETC to afford future PBS programming, and the delay of local programming efforts which are awaiting the use of funds from this year's Community Service Grant, I hope on behalf of my

HOGAN & HARTSON

Thomas G. Gherardi, Esquire
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client that this response will receive immediate attention, and that a prompt resolution of the issue will be forthcoming. As indicated earlier, I believe the attached materials should be sufficient; but I am prepared to provide you with additional information if it is so requested.

I look forward to your response.

Yours truly,

Marvin J. Diamond
Counsel to the
Alabama Educational Television
Commission

MJD:pmd

cc: Robert E. Dod
AETC Commissioners

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March 3, 1975

Mr. Henry Loomis, President
Corporation for Public Broadcasting
888 - 16th Street, N.W.
Washington, D. C. 20006

Dear Mr. Loomis:

This is in reference to the publicly-released letter of February 24, 1975, from the Corporation for Public Broadcasting (CPB) to the General Manager of the Alabama Educational Television Commission (AETC). The CPB letter is apparently designed to implement the CPB policy on equal opportunity and CPB assistance. Section IV of this policy requires a public licensee to demonstrate within 30 days to CPB's satisfaction that it has complied with a "final determination" of a federal agency that it "is in violation of Federal...laws and regulations prohibiting discrimination on the basis of race" or else become ineligible for further CPB assistance.

The CPB letter quotes the following from the decision of the Federal Communications Commission (FCC) on January 8, 1975 to deny the license renewal for AETC based on AETC's failure to meet its licensee obligations during the 1967-1970 renewal period:

> "The licensee followed a racially discriminatory policy in its overall programming practices and, by reason of its pervasive neglect of a black minority consisting of approximately 30 percent of the population of Alabama, its programming did not adequately meet the needs of the public it was licensed to serve." In re Application of AETC.

STEVE SUITTS, EXECUTIVE DIRECTOR
(205) 758-2301

It is our further understanding from an article of January 23, 1975, in the New York Times that the sum in immediate question is approximately $288,000, of which a substantial portion was earmarked to be used by AETC for the purchase of national programming for next fall through the PBS Station Program Cooperative System.

The FCC decision to which the CPB letter refers was the result of a petition to deny AETC's licenses brought in 1970 by myself and others deeply concerned about AETC's discriminatory practices and failure to meet the critical needs of Alabama's black citizens. The intent of the petitioners was never, however, to deprive any of the citizens of Alabama of a viable, ongoing public broadcasting service.

For this reason, our position at the FCC oral argument on this issue last fall was that AETC should still be allowed to continue to operate the eight Alabama public television allocations during the interim period after denial of its former licenses until the FCC made a final decision on the merits of AETC's new proposals for operation of those frequencies on reapplication, and those of any other applicant.

In our view, while CPB was correct in sending an inquiry to AETC at least to determine the current status of the FCC proceedings against it, the proposed CPB determination on the issues which the letter cites is clearly premature. The FCC has still to make a final determination as to AETC's current policies in regard to racial discrimination, or the adequacy of its present and proposed service to the black population of Alabama. The FCC's test of those policies and that service will come during its review of AETC's new applications, due to be filed by April 1, 1975. There is nothing in the Commission's January 8, 1975 opinion that finally determines the issues of AETC's current practices and service one way or the other.

During the interim period, until it can make this final determination based on new submissions by AETC, the FCC has mandated that the status quo should remain unchanged in Alabama. CPB should likewise continue providing funds to AETC until the FCC's final determination is made. Any other course would be contrary to CPB's announced policy in Section II of its policy statement, which requires that independent regulatory authority of CPB to investigate and adjudicate discrimination complaints be eschewed when they are more properly determined in the first instance by a government agency such as the FCC with primary jurisdiction over the matter.

In this particular instance, the dangers of any premature CPB decision are especially great for all current and potential parties to the FCC proceedings. For example, one of the FCC determinations with which the CPB letter asks the AETC to demonstrate its "full" remedial compliance is whether AETC's current programming "adequately meet[s] the needs of the public it [is] licensed to serve," including those of "a black minority consisting of approximately 30 percent of the population of Alabama." This, of course, is precisely the most fundamental licensing determination that the FCC must make when it reviews AETC's new applications.

Thus either a favorable or unfavorable decision by CPB as to this question will anticipate the FCC's final determination of this issue. Whatever CPB decides, it will adversely affect the legal position before the FCC or either AETC, a competing applicant, the original petitioners, or other Alabama citizens who may wish to participate in further FCC proceedings on this question.

In regard to AETC, any cutback in the flow of CPB funds will diminish AETC's ability to make substantial good faith commitments as part of its new applications to serve the needs of Alabama's black citizens. We cannot now predict whether, after reading the AETC applications, we or other Alabama citizens may not again contest the adequacy of AETC's qualifications and service. It may also be that another applicant will be shown to be better qualified to operate and propose a more optimal service for some or all of the eight Alabama public television licenses. But it offends our sense of fairness, and serves no useful purpose, to deprive AETC of the means by which to make its threshold proposals for renewed operation of these channels.

Such a result would be peculiarly ironic in this case. It would prevent AETC from currently bidding in the PBS Station Program Cooperative for those very types of national programs directed to the needs of Alabama's black population, such as "Black Journal," that it was initially criticized in 1970 for not carrying.

As CPB should be well aware, the FCC consideration of new television applications takes time. Even if AETC is the only applicant, the FCC, the original petitioners, and other Alabama citizens will still be engaged in a productive, searching and sensitive review of their qualifications and proposals. Thus an adverse finding under the CPB policy might decrease the level of public television service available to Alabama for a substantial period.

Conversely, a premature CPB finding that AETC's "demonstration" to CPB showed current elimination of all vestiges of racism and fully adequate service to all segments of the public would strongly prejudice the rights of the former petitioners, any potential competing applicants,

and any other Alabama citizen that might wish to file objections at the FCC to the AETC request to again grant it the affected licenses.

Such a gratuitous "clean bill of health" for AETC would apparently be made solely on the basis of one side's viewpoint--the submission by AETC to the CPB letter. Unlike the later FCC proceedings on the same issues, petitioners, competing applicants, and other affected citizens of Alabama would have no adequate opportunity to present evidence to CPB on these issues.

The right of intervention for such parties is unclear. The question of how parties potentially aggrieved by a CPB decision in AETC's favor prior to a final FCC determination of these questions could appeal such a CPB determination remains open.

For all of the above reasons--each of which critically affects the rights of the citizens of Alabama--CPB should determine that under the particular facts of this case any CPB determination on the merits as to either (1) AETC's current correction of past discriminatory practices, or (2) its current adequacy of service to the black community, would be inappropriate. Its proceeding should be held in abeyance pending final FCC decision on these issues. CPB should make clear that it is taking this action under the unusual and unique facts of this case, which is not necessarily determinative of its powers or duties in other, differing sets of circumstances where the questions of finality and prejudice to all past and potential parties to ongoing litigation are not present.

Therefore, CPB should expeditiously act to continue its funding to AETC, just as the FCC has taken parallel action to insure the interim operation of the Alabama public stations and to give AETC a fair chance

to show that it can provide adequate service to all Alabamians, both as an interim operator and potential future licensee.

If this view is not adopted by the Corporation, and the CPB Board contemplates making any specific, pre-FCC findings on the merits of these issues, please make certain that we are provided adequate notice of this decision so that we will have an opportunity to present our position on these ultimate issues, for which we had previously assumed our proper initial forum was the FCC alone.

Sincerely,

Steve Suitts
Executive Director
Alabama Civil Liberties Union
Alabama Media Project

cc: Thomas G. Gherardi
General Counsel, CPB

W. Clinton Powell
Assistant to the CPB President
for Minority Affairs

Marvin J. Diamond
Counsel for AETC

Frank W. Lloyd
Ellen Agress
Citizens Communications Center
1914 Sunderland Place, NW
Washington, D. C. 20036

STATEMENT OF COMMISSIONER BENJAMIN L. HOOKS
Concurring in Part; Dissenting in Part

In Re: Nondiscrimination in Employment Practices
(Docket No. 20550)

Because of the substantive reforms enacted by these rules which give the Commission tools not provided in the previous rules and because of the decent expressions of the majority to continue to improve its efforts to help end discrimination and the vestiges thereof which have rent this nation since its inception, I partially concur in this action. It is because equality is and must continue to be a national goal and a personal goal of each and every citizen, that I must dissent to that part of the program, particularly, which exempts a large portion of the country's broadcast stations from a more active part in this vital effort. But, I want to reiterate that I would have much preferred the programmatic elements set forth in my separate statement at the initiation of this Docket, 54 FCC 2d 354 at 368 (1975). Unless and until our country can eradicate the gulf between our noble ideals and purposes and frequently squalid reality, the frictions and hatreds surrounding the racial issue which almost prevented the formation of this Union 200 years ago, exploded into Civil War and the ravages on the recent decade, our domestic problems as a nation will endure. It is unquestionable that the communications industry has a critical role to play in integrating all segments of society into the rich mainstream of national life. During the 1960's, its role in the Civil Rights movement was laudable and invaluable. Its role, however, is at least as necessary now. It is also the law. The same applies with respect to the rights of women.

Program Filing Exemptions

As I indicated above, I dissent from the majority's Order raising the exemption level to 10 full-time employees where 5 or more previously had to file. Raising the threshold more than doubles the number of stations exempt -- from 21.3% to 54% 1/ --

1/ Of the 8,506 broadcast stations in the country, only 1,809 are presently exempt whereas the new threshold of 11 or more exempts another 2,789, for a total of 4,598 exempt stations. (Figures compiled from Forms 395 for 1975).

and cannot but be seen by many as a retreat from our commendable commitment undertaken some seven years ago. While nobody enjoys filing papers with the government, the triennial requirement for the submission of a program -- made much more simply by the Sample EEO Program here adopted -- was not a notably heavy burden and symbolized an industry-wide effort as well as operating as an educational tool for the participants.

As the public interest groups filing in this proceeding 2/ observed, and as noted in my previous statements in this Docket, it is vitally important to have the full participation of the small stations as well as the large because it is natural that the smaller stations serve as a training ground for aspirants in this industry. Hence, consciousness and responsiveness at that level was felt to be of special importance. More basically, under the Communications Act, all licensees are public trustees and all have an equal mandate to serve the same public interest. 3/ As the Commission observed (Majority Order at para. 8) with respect to the decision of the Supreme Court recently in NAACP v. Federal Power Commission, 44 U.S.L.W. 4659 (May 19, 1976):

> The Court went on to note, however, that our regulations concerning discrimination by broadcasters can be justified insofar as they are "necessary to enable the FCC to satisfy its obligation under the Communications Act . . . to ensure that its licensees programming fairly reflects the tastes and viewpoints of minority groups."

In a curious sense, it is almost inequitable to place a filing requirement only on larger stations and treat the filing requirement as if it were a penalty rather than a concomitant of a positive, affirmative national effort to alleviate the patent inequality of opportunity and experience. The exclusion of a majority of the

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2/ Inter alia: National Black Media Coalition, United Church of Christ, National Counsel of La Raza, National Urban League, National Organization of Women, Community Coalition for Media Change, National Association for the Advancement of Colored People, U.S. Commission on Civil Rights, Corporation for Public Broadcasting, American Women in Radio and Television, La Federacion, Leadership Conference on Civil Rights, National Education Association, Women's Equity Action League, The State of New York--Division of Human Rights, Center for National Policy Review.

3/ 47 U.S.C. Section 309(a), 309(d)(1)(2) and 309(e).

nation's media outlets from the filing requirement, while at the same time holding them to equivalent practices, becomes questionable since the inability of a licensee to point to a palpable reference as its guide for action places the licensee, the agency and the public at a disadvantage in understanding the station's efforts and policies.

As the Corporation for Public Broadcasting (CPB) stated in its comments filed October 10, 1975:

> "CPB believes the exemptions to be unwise when it is considered that small stations, like their larger counterparts, have obligations to program to suit the diverse needs of their communities. One of the essential methods a station can employ to assure such programming diversity is to have a fully-integrated work force, comprised of persons who reflect the cultural and ethnic diversity of the broadcast service area . . . ."

CPB Comments, at p. 14. Just as important to realize is the fact that, for non-commercial radio and television, this exemption is significant. Based upon 1974 data submitted to CPB, if broadcasters with less than 10 (full-time) employees were exempted from filing the written plan, the following would result:

> . . . approximately 93% of non-commercial radio would be excluded, and approximately 36% of non-commercial television would be excluded . . . .

Id. at 13 (Emphasis added).

Job Title Analysis Exemptions

Regarding the exemption of stations with less than 50 full-time employees from filing job title information which is discussed at para. 28-32 of the Majority Order, I dissent just as vigorously as in the case of the written program exemption and for essentially the same reasons. Again, as the CPB said:

> Moreover, an exemption from developing work force analysis for broadcasters with less than fifty (full-time) employees would exclude 88% of non-commercial television and 100% of non-commercial radio.

Id. at 13 (Emphasis added).

Although the overall employment statistics for minorities and women have increased 4/, let us not delude ourselves into a state of complacency -- especially regarding the top job categories.

Illustrative of the real situation, the FCC's EEO Trend Report, prepared for the Industry EEO Unit in the FCC's Office of General Counsel reveals the following:

Officials and Managers Category --

> Black males constituted 1.8% of the total in 1971, and 2.3% in 1975; Black females constituted 0.4% and 1% respectively; Spanish-surnamed males represented 1.7% and 1.8% respectively and Spanish-surnamed females 0.1% and 0.5% respectively.

Professional Category --

> Black males represented 4.5% in 1971 and 5.2% in 1975; Black females represented 0.9% and 1.9% respectively; Spanish-surnamed females represented 0.2% and 0.5% respectively; and Spanish-surnamed males represented 1.8% and 2.7% respectively.

Sales Workers --

> Black males represented 2.5% of the positions in 1971 and 2.9% in 1975; Black females represented 0.2% and 0.7% respectively; Spanish-surnamed males represented 1.6% and 1.8% respectively; and Spanish-surnamed females represented 0.1% and 0.3% respectively.

Statistics for Native Americans and Asian Americans are even poorer. Regarding women generally, they still occupy 89.9% of all clerical positions while representing only 16.2%, 16.8%, and 16% of the officials and managers, professionals, and sales workers categories, respectively.

4/ See para. 10 of the Majority Order.

(5)

Liason with other Agenices

In the matter of "reasonable cause" findings, I reiterate my position previously stated in National Broadcasting Co., Inc., 52 FCC 2d 273, 297 (1975):

> . . .[I]n light of an indefeasible Petition to Deny which incorporates the EEOC finding as a prima facie showing, we should have either (a) deferred action on the renewal, in whole or in part, on that basis; or (b) designated the renewal application for hearing on the employment issue and suspended the evidentiary processes thereupon pending EEOC's ultimate disposition of the question; or (c) conducted some internal audit of the station's practices...

Also, I believe that the Commission, in addition to merely referring complaints to other agencies with collateral jurisdiction, should establish some kind of formal liaison with the EEOC, such as Memorandum of Understanding, so that we might maintain follow-up on the status of referred complaints.

"Zone of Reasonableness"

As to the "zone of reasonableness" standard, I have urged that the Commission revise its processing standard whereby we determine what constitutes being within the "zone", both in overall employment as well as in the upper-four job categories. Therefore, I am pleased that the Majority Order, (para. 41) indicates it is moving in this direction.

Use of the Term "Qualified"

Concerning the term "qualified" as it appears in our rules and Sample Program, I would emphasize the Commission's previous pronouncements on this matter as stated in 1969 in adopting the EEO rules:

> Thus broadcasters might consider the adoption of special training programs for qualifiable minority group members . . ..

Nondiscrimination Employment Practices of Broadcast Licensees, 18 FCC 2d 240, at 245 (1969). (Emphasis added).

Form 395

I would have preferred amending the Form 395 to reflect more accurately actual broadcast industry positions, although the job title information to be submitted every three years will be helpful.

For example, such listings as General Manager, "major department heads; other supervisory; traffic/continuity; executive producer and/or writer; staff producer-directors; on-the-air talent; production assistants, cameramen; staging/lighting/artists/ photogs; operating engineers; maintenance engineers;" etc. are "specifically relevant to broadcasting" and would give more beneficial statistics, provide a picture of the primary job areas, and be helpful to the Commission, as well as to industry, in providing data on the trends in employment, not only for women and minorities, but for all employees, on an annual, inter-industry basis. Nondiscrimination Employment Practices of Broadcast Licensees, 23 FCC 2d 430, at 432 (1970).

Conclusion

In sum, and except for the important elements noted in dissent, this package overall represents a useful regulatory program by an agency that is not fully conversant with the mechanics of the most contemporary affirmative action approaches used by the specialized equal employment authorities. Considering the FCC's singularity among federal regulatory agencies in even having a full-scale EEO program, its efforts should be recognized, notwithstanding the obvious need to complete what this package leaves undone. While I strongly differ with a number of the mechanics of this program (and dissent with respect thereto above), the success of any EEO program -- after all the information gathering, analysis and review -- is almost wholly dependent on the good faith efforts at enforcement of the fundamental principal of nondiscrimination. It is here that I shall concentrate most of my attention, since many have remarked that it was not so much that our rules were deficient, but our enforcement.

I would hope that this new package will aid both the agency, the licensees, and the public in ensuring equal opportunity for all. I would hope this new package will aid in the execution and examination of affirmative action programs. I would hope it will being improvement in minority and female employment ratios. If these hopes are not realized, and deficiencies are identified in the operation of the program, I anticipate that such flaws will be brought to our attention if the Commission itself does not move towards self-correction.

CONCURRING STATEMENT OF COMMISSIONER JAMES H. QUELLO

In Re: Nondiscrimination in the employment policies and practices of broadcast licensees

This document outlines a policy which I accept with some reluctance. The substance of the policy is, I believe, both reasonable and just. My concerns lie with its implementation as I outlined when we issued the Notice of Inquiry and Notice of Proposed Rule Making in Docket 20550, FCC 75-849, 54 FCC 2d 354 (1975). In concurring with the Notice, I questioned whether the Commission's approach produced the clarity and certainty that would facilitate compliance and maximize implementation. I suggested that the Commission consider a simple, clear-cut procedure for receiving and processing complaints, the establishment of a threshold standard for evaluation of complaints and the prescription of a simple, straightforward response procedure for licensees. I also suggested that we develop a recognizable "zone of reasonableness" standard to spell out as clearly and straightforwardly as possible exactly what we expect of licensees in this area.

While I recognize the budgetary constraints upon our investigative efforts, I also recognize the general public expectation that we will enforce our own rules and policies. Without an increased capacity for investigation and direct action, it seems to me, the necessary swift response to legitimate complaints of discrimination cannot be accomplished.

I also continue to be dismayed by our inability to provide some clarity with regard to our "zone of reasonableness" standard of compliance with our rules and policies. Our continued reliance upon the "I'll know it when I see it" standard is, in my view, unnecessarily ambiguous. If our goal is parity we should say so. If it is more or less than parity we should say so. The dynamism in the ratio of minority employment relied upon by the majority surely must operate under some constraints of reason and justice. If this range shifts over time, as suggested, perhaps it is not unthinkable that the Commission could perceive the change and share that perception with the public. Granted, the ratio is only one of the factors considered in assessing a licensee's performance, but I fail to understand why that fact enhances the virtue of ambiguity. The Report and Order promises a new processing standard for assessing minority and female employment. I hope and trust that this new standard will be clearly stated and widely understood.

Therefore, I concur.

Department of Justice
Washington, D.C. 20530

Attachment #2

MAR 26 1975

RECEIVED
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Mr. Thomas G. Gherardi
General Counsel
Corporation for Public Broadcasting
888 16th Street, N.W.
Washington, D.C. 20006

Dear Mr. Gherardi:

During the past several months there have been discussions between the staff of the Federal Programs Section of the Civil Rights Division and your office concerning CPB's Title VI responsibilities.

The Civil Rights Division is of the opinion that Title VI coverage extends to all programs and activities receiving federal financial assistance regardless of the vehicle used to distribute that assistance. Because there is no federal agency or department which funds and supervises CPB programs and activities, we think that CPB is obligated itself to ensure that the provisions of 42 U.S.C. 2000(d) are carried out. We recommend that this be done by requiring that each recipient of CPB financial assistance sign a contractual commitment to comply with Title VI.

In addition to obtaining such commitments we think CPB is required to ascertain whether the recipients of CPB assistance are in fact complying with Title VI.

Attachment #2

this could be done by CPB itself, Title VI compliance reviews itself, or by delegating that authority to a federal agency. Because of CPB's limited staff and because persons from the Department of Health, Education & Welfare already conduct Title VI compliance reviews of noncommercial stations receiving federal assistance from HEW, a delegation of authority from CPB to HEW would appear to be an efficient way to monitor compliance with Title VI. Of course the terms of any sort of delegation would have to be agreed to by both CPB and HEW.

Be assured that the Civil Rights Division personnel are available to assist you in developing an effective Title VI enforcement program. We look forward to receiving your views on this matter.

Sincerely,

J. STANLEY POTTINGER
Assistant Attorney General
Civil Rights Division

Attachment #2

APPENDIX Z

CITIZENS COMMUNICATIONS CENTER
1914 SUNDERLAND PL., N.W., WASHINGTON, D.C., 20036 (202) 296-4238
FOR RESPONSIVE MEDIA

July 28, 1976

Mr. Stanley Pottinger
Civil Rights Division
Department of Justice
Washington, D.C. 20530

Dear Mr. Pottinger:

Having contacted Mr. Frank Allen of your Appellate Division, we are following up that conversation with this hand-delivered memorandum requesting responses to certain questions which Mr. Allen was unable to answer.

Our inquiries to Mr. Allen concerned an opinion letter, dated March 26, 1975, which you had sent to Mr. Thomas Gherardi, General Counsel of the Corporation for Public Broadcasting (CPB). In your letter (enclosed) you stated that in the opinion of the Civil Rights Division, the Corporation for Public Broadcasting was obligated to ensure that the provisions of Title VI (42 U.S.C. 2000(d) were complied with by recipients of CPB assistance.

It was further recommended by your office that CPB require each recipient of CPB financial assistance to sign a contractual commitment that it would comply with Title VI. You also stated your position that CPB is required to ascertain whether the recipients of CPB funds in fact comply with Title VI, either by conducting compliance reviews on its own initiative, or by delegating such authority to the Department of Health, Education and Welfare (HEW) to conduct such reviews and to monitor compliance with Title VI.

Moreover, your letter of March 6th, 1975, concluded with a statement giving assurances that the Civil Rights Division personnel are available to assist CPB in developing an effective Title VI enforcement program.

With regards to the specific questions addressed to Mr. Allen, we inquired as to the weight and authority to be given to your March 26, 1975 opinion letter. Also we asked whether any response written or otherwise, had been received from CPB. Mr. Allen stated that a meeting between CPB and the Civil Rights Division had been scheduled for May, 1975, however he was not certain as to whether such meeting had actually taken place, or that if it had taken place, what the results of that meeting were. Mr. Allen also stated that he was unaware as to whether CPB was in agreement with the opinions stated in your letter to CPB, or whether CPB

Mr. J. Stanley Pottinger July 28, 1976

According to Mr. Allen, it is the position of the Civil Rights Division of Justice that authority for compliance review is held by the Department of Health, Education and Welfare. He informed us as well, that there is no program within the Department of Justices' the Civil Rights Division currently enforcing noncommercial stations to comply with Title VI. Moreover, the role of the Civil Rights Division is merely that of coordinating the enforcement activities of other federal regulatory agencies, according to Mr. Allen

Mr. Allen was unaware of any assistance that may have been given by your office to CPB in developing a Title VI enforcement program.

We wish to know whether the positions stated by you in the above-mentioned letter are those held by your office at the present time. We wish also to inquire as to what further steps will be taken by the Civil Rights Division, if any, to ensure that CPB recipients of federal funds are complying with Title VI, and also how the Civil Rights Division will assist other agencies in the enforcement of Title VI. In short, we are inquiring about the role of the Civil Rights Division in oversight of public broadcast licensees receiving federal funds.

We wish to inquire also (1) whether the Department of Justice has itself ever initiated investigation of, or, has ever prosecuted any public broadcasting licensees for violations of Title VI or Title VII; (2) whether there are any pending or on-going investigations in this regard, and; (3) if any such investigations or prosecutions have been made by your office, the status or final determination of such cases.

If the Civil Rights Division does in fact have a role in overseeing Title VI compliance on the part of public broadcasters, we would like to know whether there are any published regulations or established procedures regarding such role. Also, we wish to know whether any one at Justice is specifically charged with the responsibility of oversight of public broadcast licensees to ensure compliance with Title VI.

Thank you in advance for your cooperation in this matter.

Sincerely,

Nolan A. Bowie

Nolan A. Bowie, Esq.

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APPENDIX AA

July 26, 1976

Ms. Gwendolyn Gregory
Office of Civil Rights
Department of Health,
Education and Welfare
North Building
330 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Ms. Gregory:

Pursuant to a meeting held in your office on Friday, July 23, 1976, I am enclosing the following summary to clarify your responses to our inquiries on the subject matter under discussion that day, in order to insure that HEW's role in the enforcement of EEO requirements under Title VI and Title IX with respect to public broadcasters is accurately reported as a part of our study.

In general, our inquiry concerns HEW procedures for oversight of public broadcasting recipients of federal grants and contracts to insure compliance with EEO policy.

It is our understanding that there are and have been no published HEW regulations for EEO oversight of public broadcasters who are recipients of federal funds under the 1962 Educational Broadcast Facilities Act or other HEW programs, and that the draft guidelines circulated by OCR/HEW in 1975 are not completed and not available to the public for comment.

We were informed that the Office of Civil Rights at HEW is primarily complaint-oriented--that is, as opposed to conducting compliance reviews on its own initiative, the general rule is that OCR/HEW will only conduct compliance reviews in response to complaints from the public of discriminatory practices by public broadcasters. There are, however, as noted above, no published regulations on how such a complaint is filed, processed by HEW, or a response given the complainant.

FOR RESPONSIVE MEDIA:
CITIZENS COMMUNICATIONS CENTER
1914 SUNDERLAND PL., N.W., WASHINGTON, D.C., 20036 (202) 296-4238

We were informed, as well, that although OCR/HEW is primarily complaint-oriented, that this practice would change by fiscal year 1978 in that OCR/HEW would be able to conduct more non-complaint investigations.

We understand that even at present, OCR/HEW occasionally conducts such reviews upon its own initiative, such review being triggered or based upon the statistical record of EEO performance of a recipient, or upon a particular issue involved in the EEO performance of a recipient, or upon a particular type of recipient.

We request that you specify: (1) exactly what type of statistical record triggers such review by your office and under what circumstances; (2) what type of other issues raised as to the EEO performance of a recipient triggers such review; and (3) what type of recipient invites HEW review on its own initiative. Of course, we are most concerned with those instances, if any, in which OCR/HEW has initiated review of the EEO performance of public broadcasters.

We were informed also that upon receiving complaints of discriminatory practices by public broadcasters, OCR/HEW conducts on-site investigations to determine whether violations of EEO policy have occurred. Would you please describe the type of on-site investigation conducted by your office--that is, what procedures are involved in such investigations?

You stated that an exception to the general rule that OCR/HEW is primarily complaint-oriented as to its public broadcasting grantees and contractors takes place in a case involving the Emergency School Assistance Act. The purpose of this Act is to promote desegregation and prohibits discrimination on the basis of race and national origin. You indicated that the Act includes an affirmative action requirement, therefore in cases coming under the ESAA, your office determines whether the applicant for funds is in compliance with affirmative action EEO requirements before approving the grant.

We would like to clarify whether this means that applicants must submit a satisfactory proposal for affirmative action, and upon doing so are deemed to be in compliance with EEO policy and are thereby approved for the grant without further investigation, or whether OCR/HEW continues oversight of the recipient to insure that its affirmative action plan is in fact put into effect. We presume that an educational institution which is the recipient of ESAA funds and also a public broadcasting licensee would be

expected in the operation of its license to comply with any affirmative action requirements under the ESAA. Please inform us if this presumption is not correct.

More specifically, we inquired about the status of complaints against public broadcasters filed with your office and the procedures for following up those complaints, particularly four specific complaints of which this office is aware and/or has participated in. The only case of which you were immediately aware was a complaint filed against the Mississippi Authority for Educational Television by the Community Coalition for Better Broadcasting. We were informed that this complaint is currently under investigation, that review has been made by your regional office and that findings are now in the draft stage. We were informed also that until review of this case is completed, MAETV is still eligible to receive federal funds.

Other cases that we inquired about included (1) a 1974 complaint filed with your office against the St. Louis Educational Television Commission, incorporating the petition to deny its application for an additional educational channel which was filed with the FCC by the St. Louis Broadcast Coalition; (2) a 1974 complaint filed against KQED, Inc. in San Francisco; and (3) a complaint filed against the Fresno County Board of Education which had applied in 1975 for an educational channel (Channel 18). In the KQED case, Ms. Jeanna Tully, who was then the Director of Public Broadcasting Programs in OCR/HEW participated in conciliation agreements together with the EEOC and the group against whom the complaint had been filed. In the Fresno case, an advisory committee had been formed in connection with the application for the educational channel which included no Chicanos in a area where the population is approximately one-third Chicano. Ms. Tully also made an on-site visit in connection with this case.

As you have no knowledge of these latter cases, we are enclosing copies of correspondence for your information.

As we understand it, there is no one person currently at OCR/HEW who is specifically appointed to be in charge of EEO oversight of public broadcasting licensees since the departure of Ms. Tully and Mr. Wodatch. We would like to know whether there are plans for the appointment of such a person.

We hope that you will be able to give a written response to the above summary and inquiries as soon as possible, and we thank you for your cooperation.

Sincerely,

Frank W. Lloyd, III
Executive Director

FWLjd
Enclosures